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The Gazette of India.

PUBLISHED BY AUTHORITY.

No 7. } CALCUTTA, SATURDAY, FEBRUARY 14, 1885.

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SUPPLEMENT No. 7.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.—ESTABLISHMENTS.

Calcutta, the 13th February 1885.

No. 28.—Mr. L. C. Abbott is permitted to resign Her Majesty's Bengal Civil Service with effect from the 5th January 1885.

No. 33.—Mr. H. D. Willock is permitted to resign Her Majesty's Bengal Civil Service, with effect from the 20th April 1885.

JUDICIAL.

The 29th January 1885.

No. 131 A.—Under the provisions of Section 4 of Act XVIII of 1884 (The Punjab Courts Act, 1884), the Governor General in Council has been pleased to appoint Mr. C. H. Spitta, Barrister-at-law, to officiate as a Judge of the Chief Court of the Punjab, during the absence on privilege leave of Mr. H. M. Plowden, or until further orders.

The 30th January 1885.

No. 137 A.—With reference to Home Department Notification No. 131 A., dated the 29th instant, Mr. Spitta took charge of his duties as Officiating Judge in the Chief Court of the Punjab, on the forenoon of this day.

D. FITZPATRICK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 10th February, 1885.

No. 275 G.—Surgeon A. F. Dobson, Indian Medical Service, Madras, is appointed to officiate as Residency Surgeon at Bangalore, *vice* Surgeon P. H. Benson, granted one year's furlough, with effect from the 28th November, 1884.

No. 277 G.—The following promotion is made in the 2nd Regiment, Central India Horse, with effect from the 15th October, 1884:—

Dafadar Gurdatt Singh, of the 1st Regiment, Central India Horse, to be Jemadar in the 2nd Regiment, Central India Horse, *vice* Jemadar Bulwant Singh, deceased.

The 12th February, 1885.

No. 294 G.—The following Brigade Orders, issued on the 29th December, 1884, by Lieutenant-Colonel H. M. Buller, Officiating Commandant, Central India Horse, consequent on the death of Lieutenant Hughes Buller, 2nd Regiment, Central India Horse, are confirmed, with effect from the 1st December, 1884:—

Lieutenant W. A. Watson, attached to the 2nd Regiment, to be Squadron Officer, 1st Regi-

ment, *vice* Lieutenant E. E. Robertson, transferred to the 2nd Regiment, but will continue to officiate as Adjutant of the 2nd Regiment until further orders.

Lieutenant E. E. Robertson, Squadron Officer, 1st Regiment, on furlough, to be Squadron Officer and Officiating Squadron Commander, 2nd Regiment.

EXTERNAL.

The 7th February 1885.

No. 156E.—In continuation of the Notification of the Foreign Department, No. 1255E. of the 21st May, 1884, extending to the Cantonment of Quetta the provisions of the rules and regulations framed under Act XXII of 1864, the Governor-General in Council is pleased to declare that the words "Local Government" in the said rules and regulations shall be deemed to mean "the Governor-General's Agent in Bihuchistan," in each case in which they occur, with the exception of the rules hereafter mentioned, *viz.*,—

Chapter I, Rule 2.

"	II	"	1.
"	"	"	9.
"	"	"	12.
"	"	"	25.
"	"	"	26.
"	"	"	27.
"	"	"	29.
"	"	"	31.
"	"	"	36.
"	IV,	"	3.
"	"	"	35.

In respect to the rules enumerated above, the term "Local Government" means the Governor-General in Council.

This Notification cancels Foreign Department Notification No. 3054 E., dated the 11th December, 1884.

The 10th February, 1885.

WAR BETWEEN FRANCE AND CHINA.

No. 182 E.—The following is published for general information:—

In consequence of hostilities between France and China, the French Government has notified its intention to enforce strict belligerent rights, including the search of neutral vessels on the high seas for contraband of war.

H. M. DURAND,

Offg. Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

ACCOUNTS.

(RATE OF EXCHANGE.)

Calcutta, the 13th February 1885.

No. 784.

ORDER—By the Government of India, Department of Finance and Commerce.

Read the following:—

No. 15 Financial, dated 22nd January 1885.

From—The Secretary of State for India,

To—The Government of India.

I have to acquaint you that the rate of exchange for the adjustment of financial transactions between

the Imperial and Indian Governments for the year 1885-86 has been fixed, with the concurrence of the Lords Commissioners of the Treasury, at one shilling and seven pence farthing (1s. 7½d.) the rupee, and I have to request that you will give the necessary instructions for the due observance of this rate in respect of all transactions to which it is applicable.

Ordered that the above be published in the *Gazette of India* for general information.

LEAVE AND APPOINTMENTS.

The 12th February 1885.

No. 759.—Mr. C. R. Kiermader having been relieved of the duties of Assistant Secretary to the Government of India in the Department of Finance and Commerce, on the return from privilege leave of Mr J. E. O'Connor, resumed charge of the Office of Deputy Auditor General from Mr. S. Jacob, after noon, on the 20th January 1885.

Mr. S. Jacob having been posted as Assistant Comptroller General, received charge of the said appointment, after noon, on the 20th January 1885.

PAPER CURRENCY.

The 12th February 1885.

No. 770.—Abstract of the Accounts of the Department of Issue of Paper Currency on the 31st January 1885, published as required by Section 27 of the Indian Paper Currency Act, XX of 1882.

CIRCLES OF ISSUE.	Whole amount of Notes in circulation.	RESERVE IN SILVER COIN AND BILLION.		
		Coin.	Billion.	TOTAL.
	₹	₹	₹	₹
Calcutta	6,21,29,970	1,33,40,231	1,06,46,186	2,39,86,417
Allahabad	1,07,29,505	96,12,285	..	96,12,285
Lahore	8,27,0,000	88,40,150	..	88,40,150
Bombay	4,84,29,510	2,28,20,076	45,67,684	2,74,07,760
Korchnec	31,11,130	29,59,640	11,290	29,60,930
Madras	1,49,19,550	59,71,725	6,20,000	66,01,725
Canton	8,50,760	3,51,110	..	3,51,110
Bangkok	15,20,690	69,92,490	..	69,92,490
TOTAL	14,06,99,235	7,39,31,315	1,58,45,170	8,97,76,485
Deduct the amount received at Calcutta but not paid at Lahore				
			50,000	
Deduct—Draft Account Bombay				
			25,000	
Deduct—Due to Korchnec Treasury				
			1,000	
				76,000
				8,97,00,485
Price paid for Government Securities of the nominal value of ₹6,25,21,700 held under Section 19 of the Act				
				5,99,98,750
				11,96,99,235
			GRAND TOTAL	

CODES.

The 10th February 1885.

No. 692.

CIVIL PENSION CODE, SECTION 88, PAGE 42.

Add the following as (f) under this Section:—

(f) Service paid from the "Window Delivery Ticket Fund" (abolished from 1st September 1863).

D. BARBOUR,

Secretary to the Government of India.

MILITARY DEPARTMENT.*Port William, the 13th February, 1885.***APPOINTMENTS.****No. 76.—STAFF CORPS—**

The undermentioned officer is admitted to the Bengal Staff Corps, with effect from the date specified, subject to the confirmation of the Secretary of State for India:—

Lieutenant Kenneth Stewart Davison, R.A.,
Officiating Squadron Officer, 4th Bengal
Cavalry,—14th August, 1882.

No. 77.—COMMISSARIAT DEPARTMENT—

Lieutenant J. W. G. Tulloch, Sub Assistant
Commissary-General, 2nd class, on probation, is
confirmed in that appointment, with effect from
the 26th January, 1884.

No. 78.—VOLUNTEER CORPS—

East Indian Railway Volunteer Rifle Corps.

Honorary Captain John Hartley, Quartermas-
ter and Honorary Paymaster, to have the honor-
ary rank of Major.

FURLOUGH AND LEAVE.

No. 79.—The undermentioned officers are
granted furlough out of India, with the necessary
subsidiary leave:—

Major A. G. Hammond, v.c., Bengal S.C.,
Squadron Commander, (Queen's Own) Corps
of Guides, (p. a.) for one year, under rule IX
of the regulations of 1868.

Major H. P. Kirke, General List, Infantry, (p. a.)
for two years, under rule IX of the regula-
tions of 1868.

Captain S. Grant, R.E., Executive Engineer,
3rd grade, Military Works Department, (p. a.)
for one year and 182 days, under rule IX of
the regulations of 1868.

Captain H. Finnis, R.E., Assistant Engineer,
1st grade, Temporary Executive Engineer,
4th grade, Military Works Department,
(p. a.) for two years, under rule IX of the
regulations of 1868.

Captain C. J. Jamieson, Bengal S.C., Wing
Officer, 14th Bengal Infantry, (p. a.) for one
year and 57 days, under rule IX of the regu-
lations of 1868.

Captain G. Wingate, Bengal S.C., Sub Assist-
ant Commissary-General, 1st class, (m. c.)
for one year, under rules IX and XV of the
regulations of 1868.

Lieutenant A. Wallace, Bengal S.C., Wing
Officer and Quartermaster, 27th Bengal In-
fantry, (p. a.) for 274 days, under rule I of
the regulations of 1875.

Surgeon H. Hamilton, M.D., Medical Officer,
23rd Bengal Infantry, (p. a.) for one year,
under rule I of the regulations of 1875.

Surgeon P. deH Haig, Medical Officer, 1st
Punjab Cavalry, (p. a.) for one year, under
rule I of the regulations of 1875.

Sub-Conductor R. Cook, Commissariat Depart-
ment, (m. c.) for one year, under rule VI of
the regulations of 1875.

Sub-Conductor J. H. Casey, Ordnance Depart-
ment, (m. c.) for one year, under rule VI of
the regulations of 1875.

No. 80.—Major A. K. Abbott, Bengal S.C.,
Wing Commander, 42nd Bengal Infantry, is
granted furlough (p. a.) in and out of India, for
one year and 115 days, under rule IX of the regu-
lations of 1868.

No. 81.—Captain T. S. Boileau, Bengal S.C.,
has been granted by the Secretary of State for
India an extension of furlough (p. a.) for one
year.

LONDON GAZETTE.

No. 82.—The following extract is published
for general information:—

*"London Gazette," dated the 13th January, 1885,
page 187.*

India Office, 13th January, 1885

The Queen has approved of the retirement from
the Service of the undermentioned Officers of Her
Majesty's Indian Military Forces:—

Colonel Frederick Peter Luard, of the Bengal
Staff Corps. Dated 10th January, 1885.

Colonel Francis James Thomas Ross, of the
Bombay Staff Corps. Dated 5th January,
1885.

Lieutenant-Colonel William Lynd Noverre, of
the Bengal Staff Corps. Dated 1st January,
1885.

Lieutenant-Colonel Edward Christopher Codring-
ton, of the Bengal Staff Corps. Dated 11th Janu-
ary, 1885.

Major John Mowbray Trotter, of the Bengal Staff
Corps. Dated 8th July, 1884.

Deputy Surgeon-General Colvin Smith, M.D.,
C.B., of the Madras Army. Dated 29th Sep-
tember, 1884.

Surgeon-Major Thomas Gray Skardon, of the
Bengal Army. Dated 31st October, 1884.

Surgeon-Major Horatio David Steel Compigne,
M.D., of the Bengal Army. Dated 13th Nov-
ember, 1884.

Surgeon-Major Robert Pringle, M.D., of the
Bengal Army. Dated 8th December, 1884.

The undermentioned Officers are granted a step
of honorary rank on retirement:—

To be Major-Generals.

Colonel Frederick Peter Luard, of the Bengal
Staff Corps. Dated 10th January, 1885.

Colonel Francis James Thomas Ross, of the Bom-
bay Staff Corps. Dated 5th January, 1885.

To be Colonels.

Lieutenant-Colonel William Lynd Noverre, of
the Bengal Staff Corps. Dated 1st January,
1885.

Lieutenant-Colonel Edward Christopher Codring-
ton, of the Bengal Staff Corps. Dated 4th Janu-
ary, 1885.

To be Lieutenant-Colonel.

Major John Mowbray Trotter, of the Bengal Staff
Corps. Dated 8th July, 1884.

To be Surgeon-General.

Deputy Surgeon-General James Alexander Cald-
well Hutchinson, M.D., of the Bengal Army.
Dated 28th September, 1884.

PROMOTIONS.

No. 83.—The following promotion is made subject to Her Majesty's approval:—

BENGAL STAFF CORPS.

To be Captain.

Lieutenant Henry Turner Faithfull,—12th February, 1885.

No. 84.—VOLUNTEER CORPS—*Rangoon Volunteer Rifle Corps.*

Major G. G. B. Van Someren, to be Lieutenant-Colonel.

REWARDS.

No. 85.—GOOD SERVICE PENSIONS—

It is notified that on the recommendation of the Government of India, Her Majesty's Government has been pleased to confer a good service pension on the undermentioned officer, with effect from the date specified:—

From the 3rd August, 1884, in room of Colonel B. Mallaby, Bombay S. C., succeeded to the Colonel's allowance.

COLONEL JEEVIS HARPUR, BOMBAY STAFF CORPS.

Dates of Commissions.

Ensign	17th February, 1847.
Lieutenant	26th August, 1851.
Captain	8th September, 1860.
Major	17th February, 1867.
Lieutenant-Colonel	17th February, 1873.
Colonel	17th February, 1878.

Appointments.

Regimental duty, 6th Regiment Native Infantry,—5th July, 1847 to 21st March, 1852.

Commandant, Surat elandee Corps, and Superintendent of Police in Surat Zilla,—25th March to 19th October, 1852.

Assistant Superintendent of Police, Tanna,—20th October, 1852 to 15th January, 1857.

Superintendent of Police, Ratnagiri,—16th January, 1857 to 26th December, 1859.

Superintendent of Police, Tanna, 27th December, 1859 to 19th March, 1861.

Superintendent of Police, Poona,—20th March to 29th October, 1861.

Commandant, Guzerat Irregular Horse,—30th October, 1861 to 5th October, 1864.

Superintendent of Police, Poona,—6th October, 1864 to 17th March, 1865.

Superintendent of Police, Ahmednagar,—18th March to 6th August, 1865.

Superintendent of Police, Satara,—7th August, 1865 to 10th March, 1876.

General duty, Satara,—11th March, 1876 to 15th September, 1876.

Officiating 2nd-in-Command, 21st Regiment, Native Infantry,—16th September, 1876 to 9th January, 1877.

General duty, Bombay,—10th January to 20th March, 1877.

Officiating 2nd-in-Command, 26th Regiment Native Infantry,—21st March to 21st April, 1877.

2nd-in-Command, 26th Regiment Native Infantry,—25th April 1877 to 25th October, 1878.

2nd-in-Command and Officiating Commandant, 26th Regiment Native Infantry,—26th October, 1878 to 3rd December, 1879.

Commandant, 23rd Regiment, Native Infantry,—4th December, 1879 to 4th December, 1884.

War Services.

Afghan War, 1879-80.—March from Quetta to relief of Kandahar (Despatches, G. G. O. No. 975 of 1880; Medal).

RETIREMENTS.

No. 86.—The undermentioned officers are permitted to retire from the service, with effect from the dates specified, subject to Her Majesty's approval:—

Major Charles Young, General List, Infantry,—28th February, 1885.

Surgeon-Major Thomas Stick Veale, M.D.,—22nd February, 1885.

VOLUNTEER CORPS.

No. 87.—The designation of the "Farukhabad Volunteer Rifle Corps" is changed to the "*Fatehgarh Volunteer Corps*."

MARINE DEPARTMENT.

LEAVE.

No. 2.—Mr. F. T. Slater, Chief Engineer, Indian Marine, is granted furlough for one year, under rule I of Marine Circular No. 16 of 1884.

G. CHESNEY,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Port William the 6th February 1885.

No. 48.—Mr. J. B. Leventhorpe, Assistant Engineer, 1st Grade, Central Provinces, is promoted to Executive Engineer, 4th Grade, *temporary rank*, with effect from 8th January 1885.

The 15th February 1885.

No. 49.—Mr. J. Shaw is appointed Assistant Examiner of Accounts, 1st Grade, sub. *pro tem.*, on the Non-Pensionable Establishment, with effect from 1st January 1885, and is posted to the Office of the Examiner of Accounts, Eastern Bengal State Railway.

W. S. TREVOR, *Colonel, R.E.*,

Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 14. 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 25th October 1884.

From the 22nd November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 15th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurrumtollah Street, Calcutta.

	R	s	d
Subscription for <i>Gazette</i> and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
For a single copy of the <i>Gazette</i>	0	8	0
For a single copy of the Supplement	0	4	0
Postage on single copies varies according to weight.			

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the *Gazette*. The annual subscription for the two Parts is Rs 5 per annum, payable in advance. When sent by post, Rs 2-8 per annum additional will be charged for postage.

By an order of Government, all subscriptions must be paid *in advance*.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

NOTICE.

Attention is invited to the Circular Memo. of the Government of India, Home Department, of February 1870, directing that all Notifications or other matter intended for insertion in the *Gazette of India* should be delivered at the Publisher's Office not later than 2 P.M. on Friday afternoon, and that matter sent after that hour must be certified to be extremely urgent in order to ensure its appearance in the next day's *Gazette*.

Matter intended for publication in the Supplement should reach the Press not later than Thursday.

E. J. DEAN,

Publisher, Gazette of India.

HIGH COURT—Original Side.

NOTIFICATION.

Calcutta, the 12th February 1885.

The Honorable the Chief Justice has granted A. B. Miller, Esq., Official Assignee of the Court for the relief of Insolvent Debtors at Calcutta leave of absence for two years, under Section 131 of the Civil Leave Code, from such date as he may avail himself of it.

R. BELCHAMBERS,

Registrar.

BANK OF BENGAL.**NOTICE.***Calcutta, the 9th February 1885.*

The Directors have made the following changes in the Bank's Establishment:—

Mr. H. F. Freshwater to be Acting Agent at Patna, *vice* Mr. T. Dyson, who has been granted leave in view of his retirement from the Bank's service.

Mr. D. E. Burne to be Acting Accountant of the Bombay Agency, *vice* Mr. H. K. Gordon.

R. HARDIE,
Secretary & Treasurer.

**ACCOUNTANT GENERAL,
Public Works Department.**

NOTIFICATION.—ESTABLISHMENT.*Fort William, the 13th February 1885.*

No. 1.—Mr. J. A. Ryan, Honorary Assistant Examiner, attached to the Office of the Joint Auditor and Examiner of Accounts, Bengal and North-Western Railway, is transferred to the Office of the Examiner of Provincial Railway Accounts, North-Western Provinces and Oudh.

A. FILGATE, *Lieut.-Col., R.E.,*
Accountant General.

SURVEY OF INDIA.**NOTIFICATION.***Calcutta, the 12th February 1885.*

No. 494.—Mr. D. Atkinson, Surveyor, 1st Grade, Survey of India, is granted privilege leave for twenty days, under Section 138, Chapter X, of the Civil Leave Code, with effect from 9th February 1885, or such date as he may avail himself of it.

G. C. DEPRÉE, *Colonel,*
Surveyor General of India.

**AGENT TO THE GOVERNOR GENERAL
FOR BILUCHISTAN, P. W. D.**

NOTIFICATION.*Quetta, the 1th February 1885.*

No. 1.—With reference to Public Works Department Notification No. 180, dated the 31st July 1884, Lieutenant C. A. R. Browne, R.E., Assistant Engineer, 2nd Grade, Military Works, was relieved of his duties in the Bolan Division, on the afternoon of the 9th January 1885.

By Order,
W. P. TOMKINS, *Major, R.E.,*
Secy. to the Agent to the Govr. Genl.
for Biluchistan, P. W. D.

**AGENT TO THE GOVERNOR GENERAL
FOR CENTRAL INDIA.**

NOTIFICATION.*Indore Residency, the 7th February 1885.*

No. 402.—In compliance with Foreign Department Notification No. 88 G. of the 19th January 1885, Mr. J. W. D. Johnstone assumed charge of the Office of Principal of the Residency College, Indore, from Mr. J. Mather, on the afternoon of the 2nd February 1885.

C. W. RAVENSHAW, *Captain,*
2nd Asst. Agent to the Govr. Genl.
for Central India.

**CHIEF COMMISSIONER OF AJMERE-
MERWARA.**

NOTIFICATION.*Mount Abu, the 4th February 1885.*

No. 111.—The following is the list of holidays to be observed by the Courts and Offices in the Ajmere-Merwara Districts during the year 1885:—

Names of Holidays.	Dates.	Days.	No. of Days.
--------------------	--------	-------	--------------

Christian Holidays.

1. New Year's Day	1st Jan.	Thursday	1
2. Ash Wednesday	18th Feb.	Wednesday	1
3. Good Friday	3rd April	Friday	1
4. Queen-Empress's Birthday	24th May	Sunday or such day as it is ordered to be kept.	1
5. Christmas	25th to 31st Dec.	Friday to Thursday	7
			11

Hindoo Holidays.

1. Baisakhi Panchmi	21st Jan.	Wednesday	1
2. Shy Batri	13th Feb.	Friday	1
3. Holi	2nd & 3rd Mar.	Monday & Tuesday	2
4. Saisatu (Shiksatni) Fair	9th Mar.	Monday	1
5. Baisakhi Fair	29th Apr.	Wednesday	1
6. Jannu Ashtmi	2nd Sep.	Wednesday	1
7. Savatri Fair	16th Sep.	Wednesday	1
8. Anant Chowdas	23rd Sep.	Wednesday	1
9. Dasera	16th & 17th Oct.	Friday & Saturday	2
10. Dipnalka (Dewali)	7th Nov.	Saturday	1
11. Pushkar Fair	10th to 23rd Nov.	Thursday, Friday, Saturday, Sunday and Monday.	5
			17

Mahomedan Holidays.

1. Bara Wafat	19th Dec.	Saturday	1
2. Urs Khawaja Sahib	21st to 23rd Apr.	Tuesday to Thursday	3
3. Shah Barat	20th May	Friday	1
4. Idul Fitr	14th July	Tuesday	1
5. Idul Zuhra	21st Sep.	Monday	1
6. Moharram	16th to 20th Oct.	Sunday to Tuesday	3
			10

General Holidays.

1. For English and Vernacular Offices, when there are no arrears of work, the last Saturday in every month.

2. Mahomedan holidays depend on the moon being visible, and fall on the day following such event.

3. Hindoo holidays on account of eclipses of the sun fall on the day of the eclipse, but when they are for an eclipse of the moon, they fall on the day following.

4. Local holidays may be granted for great festivals or fairs at the discretion of the Commissioner, only when there are no arrears of work.

5. The Civil Courts vacation commences on the 1st of August and ends on the 30th September. No fresh suits shall be instituted during that time, unless of an emergent character, but the Courts will be open for the purpose of clearing off cases instituted before 15th July, and for disposal of any urgent work.

By Order,

W. H. C. WYLLIE.

1st Asst. to the Chief Commr.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Calcutta, the 6th February 1885.

No. 16.—With reference to Public Works Department Notification No. 39, dated the 29th January 1885, Baboo Russick Lall Roy, Assistant Engineer, 1st Grade, is posted to the Eastern Bengal State Railway.

No. 17.—With reference to Public Works Department Notification No. 2, dated the 2nd January 1885, placing his services at the disposal of the Director General of Railways, Mr. G. F. Mathew, Class II of the State Railway Superior Revenue Establishment, is posted to the Rajputana-Malwa Railway, which line he joined on the 27th December 1884.

No. 18.—Mr. W. Wiseman, Executive Engineer, 2nd Grade, sub. *pro tem.*, State Railways, is granted furlough on medical certificate for twelve months, with effect from 28th January 1885.

The 9th February 1885.

No. 19.—With reference to Government of India, Public Works Department, Notification No. 280, dated 7th November 1884, Mr. G. M. Drury, Class II of the State Railway Superior Revenue Establishment, Traffic Department, is posted to the Eastern Bengal State Railway.

This cancels Director General's Notification No. 72 of 11th November 1884.

The 10th February 1885.

No. 20.—With reference to Public Works Department Notification No. 44, dated 5th February 1885, Mr. P. T. S. Targe, Executive Engineer, 2nd Grade, is posted to the Nagpur-Bengal State Railway.

The 12th February 1885.

No. 21.—With reference to Public Works Department Notification No. 31, dated the 24th January 1885, Director General of Railways' Notification No. 5 of the 2nd idem, posting Mr. J. H. Handley, Assistant Engineer, 1st Grade, to the Sind-Pishin State Railway, is hereby cancelled.

No. 22.—With reference to Public Works Department Notification No. 25, dated 23rd January 1885, the undermentioned officers are posted to the Nagpur-Bengal State Railway :—

Mr. J. Ramsay, Executive Engineer, 1st Grade.

Mr. E. G. J. McCudden, Executive Engineer, 1st Grade.

Mr. J. Manson, Assistant Engineer, 2nd Grade.

F. S. STANTON, *Council, R.E.*

Director General of Railways.

BENGAL-NAGPUR STATE RAILWAY.

Tenders are invited, and will be received up to noon of Saturday, 28th February 1885, for the supply of one hundred thousand (100,000) sleepers measuring 10' 0" by 10" by 5'. Separate rates should be quoted for each sleeper of the following descriptions of wood :—

Sal.

Bejar Sar.

Teak.

Delivery of sleepers may be made at approved depôts at Aungmy, Para-Kassa, Raj-Nandgaon, and Raipur, but at the latter depôt only 25,000 sleepers will be received. The whole of the sleepers must be delivered by 15th October 1885. The Engineer-in-Chief does not bind himself to accept the lowest or any tender.

Further information can be had on application to the Engineer-in-Chief, Camp Raipur, Central Provinces.

BENGAL-NAGPUR STATE RAILWAY.

NOTIFICATION.

Raipur, the 2nd February 1885.

With reference to Director General of Railways Notification No. 9, dated 16th January 1885, the following Officers reported their arrivals at Nagpur on the forenoon of the dates set opposite to their names :—

Mr. A. C. Cregeen, Superintending Engineer, 1st Grade, sub. *pro tem.*,—13th October 1883.

Mr. W. B. Taylor, Executive Engineer, 2nd Grade,—13th October 1883.

Mr. E. H. Stone, Executive Engineer, 3rd Grade,—13th October 1883.

Mr. E. F. Gordon, Assistant Engineer, 1st Grade,—13th October 1883.

Mr. E. Baker, Assistant Engineer, 1st Grade,—13th October 1883.

Mr. A. T. Choquette, Assistant Engineer, 2nd Grade,—14th October 1883.

A. C. CREGEEN,

Engineer-in-Chief,

Bengal-Nagpur State Railway.

ACCOUNTANT GENERAL'S OFFICE.
Public Works Department.

NOTIFICATION.

Statement of the Monthly Accounts of the several Branches of the Public Works Department received in the Office of the Accountant General, Public Works Department, up to the 5th February 1885.

PUBLIC WORKS—MUNICIPALITIES AND ROADS AND MILITARY WORKS (BOMBAY) AND TELEGRAPH				IRRIGATION.				STATE RAILWAYS (CAPITAL).				STATE RAILWAYS (REVENUE).			
Order of receipt.	Accounting offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting Offices.	Last month for which received.	Date of receipt.	Order of receipt.	Accounting offices.	Last month for which received.	Date of receipt.
1	Punjab.	Nov. 1884	Jan. 19, 1885	1	Rajputana.	Nov. 1884	Jan. 19, 1885	1	Bhopal.	Dec. 1884	Feb. 3, 1885	1	Bhopal.	Dec. 1884	Feb. 2, 1885
2	Port Blair.	Do.	Do.	2	Punjab.	Do.	Do.	2	Amritsar-Patna.	Nov. 1884	Jan. 9, 1885	2	Punjab-Nathani.	Nov. 1884	Jan. 22, 1885
3	Rajputana.	Do.	Do.	3	Bombay.	Do.	Do.	3	State R. Stores Branch.	Do.	Do.	3	Kanina-Dhuria.	Do.	Do.
4	Bombay.	Do.	Do.	4	Madras.	Do.	Do.	5	Punjab Provincial Surveys.	Do.	Do.	5	Northern Bengal.	Do.	Do.
5	Central Provinces.	Do.	Do.	5	Bengal.	Do.	Do.	6	N.W. P. & Oudh sub-divisional Railways.	Do.	Do.	6	Wardan Coal.	Do.	Do.
6	Central India.	Do.	Do.	6	British Burma.	Do.	Do.	7	Nalhati.	Do.	Do.	7	Nagpur-Chattisgarh.	Do.	Do.
7	Hyderabad Imperial.	Do.	Do.	7	North-Western Provinces and Oudh.	Do.	Do.	8	Assam Sub-divisional Rys.	Do.	Do.	8	Eastern Bengal.	Do.	Do.
8	Hyderabad Assigned Districts.	Do.	Do.	8		Do.	Do.	9	Punjab Northern.	Do.	Do.	9	Nalhati.	Do.	Do.
9	Coorg.	Do.	Do.	9		Do.	Do.	10	Punjab-Mulki.	Do.	Do.	10	Tithoo.	Do.	Do.
10	Madras.	Do.	Do.	10		Do.	Do.	11	Bombay Ry. Surveys.	Do.	Do.	11	Campore-Acheyra.	Do.	Do.
11	Assam.	Do.	Do.	11		Do.	Do.	12	Bombay Ry. Surveys.	Do.	Do.	12	Indus Valley.	Do.	Do.
12	Military Works Branch.	Do.	Do.	12		Do.	Do.	13	Bombay Ry. Surveys.	Do.	Do.	13	Rajputana-Malwa.	Do.	Do.
13	Military Works Branch.	Do.	Do.	13		Do.	Do.	14	Bombay Ry. Surveys.	Do.	Do.	14	Rewari-Ferozepore.	Do.	Do.
14	British Burma.	Do.	Do.	14		Do.	Do.	15	N.W. P. & Oudh Light Prov. Surveys.	Do.	Do.	15	British Burma.	Do.	Do.
15	Bengal.	Do.	Do.	15		Do.	Do.	16	Rewari-Ferozepore.	Do.	Do.	16	East Indian.	Do.	Do.
16	North-Western Provinces and Oudh.	Do.	Do.	16		Do.	Do.	17	Wardan Coal.	Do.	Do.	17		Do.	Do.
17		Do.	Do.	17		Do.	Do.	18	Bengal Administrative Charges (42 State Bys.)	Do.	Do.	18		Do.	Do.
18		Do.	Do.	18		Do.	Do.	19	Madras Ry. Surveys.	Do.	Do.	19		Do.	Do.
19		Do.	Do.	19		Do.	Do.	20	Northern Bengal.	Do.	Do.	20		Do.	Do.
20		Do.	Do.	20		Do.	Do.	21	Nagpur-Chattisgarh.	Do.	Do.	21		Do.	Do.
21		Do.	Do.	21		Do.	Do.	22	Eastern Bengal.	Do.	Do.	22		Do.	Do.
22		Do.	Do.	22		Do.	Do.	23	Nagpur-Chattisgarh.	Do.	Do.	23		Do.	Do.
23		Do.	Do.	23		Do.	Do.	24	Eastern Bengal.	Do.	Do.	24		Do.	Do.
24		Do.	Do.	24		Do.	Do.	25	Nagpur-Chattisgarh.	Do.	Do.	25		Do.	Do.
25		Do.	Do.	25		Do.	Do.	26	Eastern Bengal.	Do.	Do.	26		Do.	Do.
26		Do.	Do.	26		Do.	Do.	27	Nagpur-Chattisgarh.	Do.	Do.	27		Do.	Do.
27		Do.	Do.	27		Do.	Do.	28	Eastern Bengal.	Do.	Do.	28		Do.	Do.
28		Do.	Do.	28		Do.	Do.	29	Nagpur-Chattisgarh.	Do.	Do.	29		Do.	Do.
29		Do.	Do.	29		Do.	Do.	30	Eastern Bengal.	Do.	Do.	30		Do.	Do.
30		Do.	Do.	30		Do.	Do.	31	Nagpur-Chattisgarh.	Do.	Do.	31		Do.	Do.
31		Do.	Do.	31		Do.	Do.	32	Eastern Bengal.	Do.	Do.	32		Do.	Do.
32		Do.	Do.	32		Do.	Do.	33	Nagpur-Chattisgarh.	Do.	Do.	33		Do.	Do.
33		Do.	Do.	33		Do.	Do.	34	Eastern Bengal.	Do.	Do.	34		Do.	Do.
34		Do.	Do.	34		Do.	Do.	35	Nagpur-Chattisgarh.	Do.	Do.	35		Do.	Do.
35		Do.	Do.	35		Do.	Do.	36	Eastern Bengal.	Do.	Do.	36		Do.	Do.
36		Do.	Do.	36		Do.	Do.	37	Nagpur-Chattisgarh.	Do.	Do.	37		Do.	Do.
37		Do.	Do.	37		Do.	Do.	38	Eastern Bengal.	Do.	Do.	38		Do.	Do.
38		Do.	Do.	38		Do.	Do.	39	Nagpur-Chattisgarh.	Do.	Do.	39		Do.	Do.
39		Do.	Do.	39		Do.	Do.	40	Eastern Bengal.	Do.	Do.	40		Do.	Do.
40		Do.	Do.	40		Do.	Do.	41	Nagpur-Chattisgarh.	Do.	Do.	41		Do.	Do.
41		Do.	Do.	41		Do.	Do.	42	Eastern Bengal.	Do.	Do.	42		Do.	Do.
42		Do.	Do.	42		Do.	Do.	43	Nagpur-Chattisgarh.	Do.	Do.	43		Do.	Do.
43		Do.	Do.	43		Do.	Do.	44	Eastern Bengal.	Do.	Do.	44		Do.	Do.
44		Do.	Do.	44		Do.	Do.	45	Nagpur-Chattisgarh.	Do.	Do.	45		Do.	Do.
45		Do.	Do.	45		Do.	Do.	46	Eastern Bengal.	Do.	Do.	46		Do.	Do.
46		Do.	Do.	46		Do.	Do.	47	Nagpur-Chattisgarh.	Do.	Do.	47		Do.	Do.
47		Do.	Do.	47		Do.	Do.	48	Eastern Bengal.	Do.	Do.	48		Do.	Do.
48		Do.	Do.	48		Do.	Do.	49	Nagpur-Chattisgarh.	Do.	Do.	49		Do.	Do.
49		Do.	Do.	49		Do.	Do.	50	Eastern Bengal.	Do.	Do.	50		Do.	Do.
50		Do.	Do.	50		Do.	Do.	51	Nagpur-Chattisgarh.	Do.	Do.	51		Do.	Do.
51		Do.	Do.	51		Do.	Do.	52	Eastern Bengal.	Do.	Do.	52		Do.	Do.
52		Do.	Do.	52		Do.	Do.	53	Nagpur-Chattisgarh.	Do.	Do.	53		Do.	Do.
53		Do.	Do.	53		Do.	Do.	54	Eastern Bengal.	Do.	Do.	54		Do.	Do.
54		Do.	Do.	54		Do.	Do.	55	Nagpur-Chattisgarh.	Do.	Do.	55		Do.	Do.
55		Do.	Do.	55		Do.	Do.	56	Eastern Bengal.	Do.	Do.	56		Do.	Do.
56		Do.	Do.	56		Do.	Do.	57	Nagpur-Chattisgarh.	Do.	Do.	57		Do.	Do.
57		Do.	Do.	57		Do.	Do.	58	Eastern Bengal.	Do.	Do.	58		Do.	Do.
58		Do.	Do.	58		Do.	Do.	59	Nagpur-Chattisgarh.	Do.	Do.	59		Do.	Do.
59		Do.	Do.	59		Do.	Do.	60	Eastern Bengal.	Do.	Do.	60		Do.	Do.
60		Do.	Do.	60		Do.	Do.	61	Nagpur-Chattisgarh.	Do.	Do.	61		Do.	Do.
61		Do.	Do.	61		Do.	Do.	62	Eastern Bengal.	Do.	Do.	62		Do.	Do.
62		Do.	Do.	62		Do.	Do.	63	Nagpur-Chattisgarh.	Do.	Do.	63		Do.	Do.
63		Do.	Do.	63		Do.	Do.	64	Eastern Bengal.	Do.	Do.	64		Do.	Do.
64		Do.	Do.	64		Do.	Do.	65	Nagpur-Chattisgarh.	Do.	Do.	65		Do.	Do.
65		Do.	Do.	65		Do.	Do.	66	Eastern Bengal.	Do.	Do.	66		Do.	Do.
66		Do.	Do.	66		Do.	Do.	67	Nagpur-Chattisgarh.	Do.	Do.	67		Do.	Do.
67		Do.	Do.	67		Do.	Do.	68	Eastern Bengal.	Do.	Do.	68		Do.	Do.
68		Do.	Do.	68		Do.	Do.	69	Nagpur-Chattisgarh.	Do.	Do.	69		Do.	Do.
69		Do.	Do.	69		Do.	Do.	70	Eastern Bengal.	Do.	Do.	70		Do.	Do.
70		Do.	Do.	70		Do.	Do.	71	Nagpur-Chattisgarh.	Do.	Do.	71		Do.	Do.
71		Do.	Do.	71		Do.	Do.	72	Eastern Bengal.	Do.	Do.	72		Do.	Do.
72		Do.	Do.	72		Do.	Do.	73	Nagpur-Chattisgarh.	Do.	Do.	73		Do.	Do.
73		Do.	Do.	73		Do.	Do.	74	Eastern Bengal.	Do.	Do.	74		Do.	Do.
74		Do.	Do.	74		Do.	Do.	75	Nagpur-Chattisgarh.	Do.	Do.	75		Do.	Do.
75		Do.	Do.	75		Do.	Do.	76	Eastern Bengal.	Do.	Do.	76		Do.	Do.
76		Do.	Do.	76		Do.	Do.	77	Nagpur-Chattisgarh.	Do.	Do.	77		Do.	Do.
77		Do.	Do.	77		Do.	Do.	78	Eastern Bengal.	Do.	Do.	78		Do.	Do.
78		Do.	Do.	78		Do.	Do.	79	Nagpur-Chattisgarh.	Do.	Do.	79		Do.	Do.
79		Do.	Do.	79		Do.	Do.	80	Eastern Bengal.	Do.	Do.	80		Do.	Do.
80		Do.	Do.	80		Do.	Do.	81	Nagpur-Chattisgarh.	Do.	Do.	81		Do.	Do.
81		Do.	Do.	81		Do.	Do.	82	Eastern Bengal.	Do.	Do.	82		Do.	Do.
82		Do.	Do.	82		Do.	Do.	83	Nagpur-Chattisgarh.	Do.	Do.	83		Do.	Do.
83		Do.	Do.	83		Do.	Do.	84	Eastern Bengal.	Do.	Do.	84		Do.	Do.
84		Do.	Do.	84		Do.	Do.	85	Nagpur-Chattisgarh.	Do.	Do.	85		Do.	Do.
85		Do.	Do.	85		Do.	Do.	86	Eastern Bengal.	Do.	Do.	86		Do.	Do.
86		Do.	Do.	86		Do.	Do.	87	Nagpur-Chattisgarh.	Do.	Do.	87		Do.	Do.
87		Do.	Do.	87		Do.	Do.	88	Eastern Bengal.	Do.	Do.	88		Do.	Do.
88		Do.	Do.	88		Do.	Do.	89	Nagpur-Chattisgarh.	Do.	Do.	89		Do.	Do.
89		Do.	Do.	89		Do.	Do.	90	Eastern Bengal.	Do.	Do.	90		Do.	Do.
90		Do.	Do.	90		Do.	Do.	91	Nagpur-Chattisgarh.	Do.	Do.	91		Do.	Do.
91		Do.	Do.	91		Do.	Do.	92	Eastern Bengal.	Do.	Do.	92		Do.	Do.
92		Do.	Do.	92		Do.	Do.	93	Nagpur-Chattisgarh.	Do.	Do.	93		Do.	Do.
93		Do.	Do.	93		Do.	Do.	94	Eastern Bengal.	Do.	Do.	94		Do.	Do.
94		Do.	Do.	94		Do.	Do.	95	Nagpur-Chattisgarh.	Do.	Do.	95		Do.	Do.
95		Do.	Do.	95		Do.	Do.	96	Eastern Bengal.	Do.	Do.	96		Do.	Do.
96		Do.	Do.	96		Do.	Do.	97	Nagpur-Chattisgarh.	Do.	Do.	97		Do.	Do.
97		Do.	Do.	97		Do.	Do.	98	Eastern Bengal.	Do.	Do.	98		Do.	Do.
98		Do.	Do.	98		Do.	Do.	99	Nagpur-Chattisgarh.	Do.	Do.	99		Do.	Do.
99		Do.	Do.	99		Do.	Do.	100	Eastern Bengal.	Do.	Do.	100		Do.	Do.

A. FILGATE, *Lieut.-Colonel, R.E.,*

Accountant General, P. W. Dept.

Fort William, the 11th February 1885.

MAPS OF THE SURVEY OF INDIA DEPARTMENT.

Published at the Survey of India Offices, Calcutta and Dehra Dûn, for the quarter ending 30th September 1884.

Agents :

Calcutta.—No Agent.
Allahabad.—Curator, Government Books, North-Western Provinces.
Nagpur.—Curator, Government Books, Central Provinces.
Lahore.—Curator, Government Central Book Depôt.
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Description.	Scale.	Size.	PRICE OF MAP UNMOUNTED PER SHEET OR COPY.			
			Uncolored.		Colored.	
			R	a.	R	a.
GENERAL MAPS.						
India, in six Sheets, 3rd issue, corrected up to January 1884	1"=32 M.	39"×27" each sheet.	6	0	8	0
General Map of Kandahar District. Published August 1884	1"= 4 M.	40"×27"	Not for sale, nor issued on service, except under spe- cial orders of the Foreign Dept.			
Afghanistan, Sheet No. 5. Published August 1884	1"= 4 M.	40"×27"				
Afghanistan, Sheet No. 8. Published December 1884	1"= 4 M.	40"×25"				
Afghanistan, Sheet No. 10, with portions of Sheets Nos. 7, 13, and 14 (Preliminary). Published August 1884	1"= 4 M.	44"×30"				
Afghanistan, Sheet No. 11. Published September 1884	1"= 4 M.	40"×27"				
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DISTRICT MAPS.						
District Naga Hills	1"= 4 M.	36"×38"	2	0	2	4
District Howrah. Published September 1884	1"= 4 M.	19"×19"	0	6	0	8
District Hooghly. Published September 1884	1"= 4 M.	33"×25"	1	0	1	4
CANTONMENTS.						
Shillong Sanitarium, Sheet No. 1. Published August 1884	24"=1 M. each.	34"×26" each.	1	0	1	4
Shillong Sanitarium, Sheet No. 4. Published August 1884			each.		each.	
Shillong Sanitarium, Sheet No. 7. Published August 1884						
Shillong Sanitarium, Sheet No. 10. Published August 1884	6"= 1 M.	40"×25" each.	1	0	1	4
Shillong Topographical Survey. Published August 1884			each.		each.	
ATLAS SHEETS.						
Atlas Sheet No. 38. Published July 1884	1"= 4 M.	40"×27"	2	0	2	0
STANDARD MAPS.						
BOMBAY.						
Sheet No. 10 of Kathiawar, 2nd Edition. Parts of Jhalawar and Ahmedabad	1"= 1 M.	40"×27"	1	12	2	0
Sheet No. 10A. of Kathiawar, 2nd Edition. Parts of Jhalawar, Ahmedabad, and Rodhanpur	1"= 1 M.	40"×27"	1	12	2	0
MYSORE.						
Mysore Topographical Survey. Sheet No. 56. Part of Mysore District. Published June 1884	1"= 1 M.	40"×25"	1	0	1	4
ODDH.						
Ouddh Revenue Survey. Sheet No. 121, New Edition, Districts Unao and Lucknow. Published September 1884	1"= 1 M.	38"×25"	1	8	1	12

W. H. WILKINS, Lieut.-Colonel, S.C.,

In charge of the Map Record and Issue Office.

SURVEY OF INDIA DEPARTMENT,
Calcutta, the 19th January 1885.

Statement of the Affairs of the Bank of Beragal for the week ending 10th February 1885.

LIABILITIES.				ASSETS.			
	R	a.	p.		R	a.	p.
Capital paid-up	2,00,00,000	0	0	Government Securities	62,14,990	8	0
Reserve Fund	41,59,251	4	4	Other authorized Investments	36,80,142	8	0
	R	a.	p.	Loans on Government and other authorized Securities	87,05,108	6	11
Public Deposits at Head Office	74,93,039	0	4	Accounts of Credit on Government and other authorized Securities	76,30,864	6	7
Public Deposits at Branches	1,31,36,030	2	4	Bills discounted and purchased	1,71,22,135	14	5
Other Deposits at Head Office and Branches	2,96,78,986	9	5	Balances with other Banks	3,57,382	2	9
Bank Post Bills, &c.	4,71,607	10	2	Bullion	4,69,078	6	4
Sundries	11,40,695	4	9	Dead Stock	11,68,881	9	8
				Stamps	7,870	0	0
				Sundries	8,48,782	15	2
					4,62,05,236	13	10
					R	a.	p.
				Cash and Currency Notes at Head Office	1,09,67,362	13	2
				Cash and Currency Notes at Branches	1,89,10,010	4	4
					2,98,77,373	1	6
					R	a.	p.
					7,60,82,609	15	4
					RUPES		

BANK OF BERGAL,
Calcutta, 11th February 1885.

D. FRASER,
Offy. Chief Acctt.
Rate for Demand Loans 6 per cent.
Percentage 57.5.

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTIMATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Assayed.	Held on account of the Currency Department.
	R	R	R	R	R	R
1885, Feb. 2	1,569	1,56,148	418	6,03,809	1,21,65,025	81,07,341
" 3	1,509	17,233	2,11,361	4,05,108	1,21,80,911	86,06,131
" 4	8,73,670	25,230	1,95,727	10,93,264	1,21,80,837	87,70,911
" 5		25,761	2,06,164	8,15,895	1,21,91,120	89,60,023
" 6		14,625		8,75,880	1,15,01,120	89,48,008
" 7		24,230	1,776	8,75,787	1,17,96,990	89,26,710

R. V. RIDDELL, Major, R.E.,
Mint Master.

CALCUTTA MINT.
The 9th February 1885.

CURRENCY NOTES.

The following Currency Notes of the Government of India are stated to have been lost, and payment of their value has been claimed by the persons whose names are placed against the numbers. Any other person having these Notes in his possession, or claiming a right to them, is warned to communicate at once with the undersigned:—

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.			
Regt. No.	No. of Notes.	Value.	Name of Claimant.
		R	
34	E 20—83675	100	{ F. P. Williams, Esq., Superintendent of Post Offices, Rawalpindi.
	* " —84057	100	
35	† E 19—70673	50	Lachman Ram, Sudder Bazar, Dinapore.
36	E 20—48425	100	Gobind Jas, care of Pandit Ram Kishan, No. 1, Accountant General's Office, Lahore.

* Agency No. 6, Peshawar.
† Agency No. 1, Rawalpindi.

LAHORE,
The 7th February 1885.

T. H. BIGGS,
for Depy. Commr. of Currency.

Report of a Deserter from the 2nd Battalion, Northumberland Fusiliers, dated at Meeran Meer, this 9th day of February 1885.

Number, Rank, and Name,— No. N.F.—471. Private Alfred Reid.	Date of Enlistment,—3rd October 1883.
Age,—21 years 4 months.	Place of Enlistment,— Gravesend.
Height,—5 feet 5 inches.	Parish and County in which born,—Fort St. George, Madras, India.
Colour of—	Complexion, dark; Hair, black; Eyes, black.
Complexion, dark; Hair, black; Eyes, black.	Marks.—Tattooing on both arms and forearm.
Date of Desertion,—3rd February 1885.	Trade.—Fireman.
Place of Desertion,—Fort Lahore.	Dress.—Regimentals.
	REMARKS.—He is a half- caste Indian.
	Under 2 years' service.

T. ROWLAND, Colonel,
Comdg. 2nd Battn., Northumberland Fusiliers.

NOTICE.

Scaled tenders will be received by the Superintendent, Reserve Remount Depot, Hosur, in the Madras Presidency, for the supply of iron hurdles as described below, up to Monday, the 2nd March 1885:—

300 iron hurdles, each 10 feet long × 4 feet high above ground, and 18 inches below ground, with 6 horizontal tabular rails, all one inch external diameter, side $1\frac{1}{2}$ inch × $\frac{5}{8}$ inch, and middle upright for each hurdle $1\frac{1}{2}$ inch × $\frac{5}{8}$ inch flat.

The tenders should clearly state the cost of each hurdle delivered at the Malloor Railway Station, on the Bangalore Branch Line of the Madras Railway, and the time during which the hurdles will be delivered after the notice of acceptance of tender has been made known to the tenderer.

H. W. RAWLINS, Lieut.-Colonel,
Offy. Supdt., Reserve Remount Depot.

REMOUNT DEPOT, HOSUR,
The 2th February 1885.

WANTED

A Translator and Clerk of the Court for the Court of the Commissioner of Ajmere. Salary Rs80 per mensem.

Applicants must possess a thorough knowledge of English and Vernacular and be able to translate, efficiently, Urdu into English, and *vice versa*. He must also have a good knowledge of the ordinary law books and Acts of the Legislature.

Preference will be given to a person who has passed the Pleader's Examination.

Application stating age with copies of testimonials to be addressed to the undersigned.

No replies will be sent to rejected candidates.

W. O'NEAL,

Supdt., Commr.'s Office, Ajmere-Merwara.

AJMERE,

The 9th February 1885.

POST OFFICE.**NOTIFICATIONS.**

Calcutta, the 9th February 1885.

No. 13037.—Mr. S. Gutmann is appointed to officiate as Post Master of Aden.

A. U. FANSHAWE,

Offy. Director General of the Post Offices of India.

Unclaimed Letters held in the Calcutta General Post Office on 10th February 1885.

Agent of Gethley,	Cumming, R. H.	Moskowitz, Herman.
Hanky & Co.	deJaar, Philip T.	Overburg, Mrs. F. E.
Arden, Hecser.	Hardy, W. S.	Saldana, Frank.
Bereford, Captain J.	Hills, Archibald.	Serres, W. W.
C. M.	Hollis, L. W.	Solomon, D. H.
Carnell, A. M.	Levites, D.	Stevenson, T. B.

Letters marked "Care of Post Office."

Alexander, D. D.	Harcourt, W. H.	Pelly, Alfred D.
Allen, Alex.	Hobriet, A. F.	Peters, L. C.
Ambler, C. F.	Hodgeson, Richard.	Petley, W. A.
Amos, Thomas.	Horsler, Mrs. Peter.	Pyllas, Michel G.
Brigg, E. A.	Huddleston, John E.	Q. R.
Brior, Sarah.	Leslie.	Rahn, Maier. T.
Burke, Sir Henry.	Hughes, Mrs. A. J.	"Rex"
Caolpoora, Mr.	Huhne, John.	Richardson, H.
Carlisle, J. T.	Hull, W.	Robertson, Wm.
Case, Mrs. S. F.	Isaac, Mr.	Row, John H.
Clerley, Marie.	Joannis, P.	Schwartz, C. E. R.
Clift, Mrs. H. W.	Lancez, Mrs. W.	Smith, F. E.
Cochrane, Benjamin.	Latham, Thomas.	Smith, T. R.
Cowan, Andrew.	Lee, Miss C.	Steel, John
Cox, E.	Lubbach, J. B.	Taylor, Miss Emma.
Dalzell, John.	Mason, E.	Thomassen, E. S.
DeBalsajally, Middle.	Mercer, Frank.	Thrusell, A.
Victoria.	Miraglia, Giuseppe.	Todd, R. M.
DeBonnieres, Robert.	Morlueth, Mrs.	Towers, Miss Rosa.
Duhals, J. B.	Murgatroyd, C. A.	Trafford, H. R.
Duffy, E.	"Naini."	Wood & Co., R.
Edmonds, Rev. B.	O'Connell, Comdr.	Wells, Hubert H. G.
Gray, Mrs. Marrie.	Owen, L. C.	Young, W.
Grün, Otto.	Pate, Fred.	Zillhardt, Mrs.

Registered Letters.

Agacy, A. S.	Dalzell, W.	Melk, J.
Beale, H. W.	Kennard, A. S.	Purbridge, R. J.
Browne, A.	Maurer, Emanuel.	Reid, Edward.

E HUTTON,

Presidency Postmaster, Calcutta.

Unclaimed Letters held in the Barrackpore Post Office on the 9th February 1885.

Arnold, Rev. S.	Chowdhari, N. G.	Landale, J.
Battawicker.	Fagan, H. L.	Mookerjee, Mohendro
Bayley, Mrs.	Farrer, H.	Nath.
Bickers, M. E.	Forbes, Mrs. W. A. G.	Roy, Umes Chunder.
Brind, M. J.	Hempshery, Rev. W. T.	Sitlkebat, J.
Burdett, Rev. W. J.	Henderson, G.	Wills, G.

A. P. GHOSAL,

Postmaster, Barrackpore.

The 14th February 1885.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date of closing at Calcutta.	Per Steamer
Madras and Ceylon	1885. 21st Feb.	P. & O. Str. <i>Arcona.</i>
Columbo, Penang, Singapore, Hong-Kong, Shanghai, Yokohama, and Australian Colonies	17th "	From Bombay.
Foreign Mails of Bombay	17th "	From Bombay.*
Do. Book Post and Pattern Packets	16th "	From Bombay.
Rangoon and Moultien	18th "	Str. <i>Malda.</i> †
Chitingong, Akyah, Kyauk Piyoo, Sandaway, and Rangoon	18th "	Str. <i>Mahratta.</i>
Straits and Hong-Kong	16th "	Strs. <i>Taisang</i> and <i>L. Apear.</i>

* Also for Cape Colonies through United Kingdom can be forwarded.

† Also for Port Blair can be sent by this opportunity.

N.B.—The letter-box will close at 7 P.M. precisely, after which hour, foreign letters, fully prepaid and bearing an extra postage-stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,

Presidency Post Master.

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	2	8	0
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PART III.

Advertisements and Notices by Private Individuals and Corporations.

BENGAL CIVIL FUND.

At the half-yearly General Meeting of the Subscribers to the Bengal Civil Fund, held at the Town Hall on Monday, the 26th January 1885, at 10 A.M.

PRESENT:—The Hon'ble Mr. Justice McDonell, v.c.; H. A. Cockerell, Esq., c.s.i.; the Hon'ble Mr. Justice Tottenham; the Hon'ble J. W. Quinton; A. Smith, Esq.; H. L. Harrison, Esq.; the Hon'ble Mr. Justice Beverley; J. Westland, Esq.; E. F. T. Atkinson, Esq.; J. Seobell Armstrong, Esq.; H. J. S. Cotton, Esq.; C. A. Wilkins, Esq.; R. Logan, Esq.; J. Posford, Esq.; T. W. Holderness, Esq.; H. M. Kisch, Esq.; J. F. Finlay, Esq.; C. S. Bayloy, Esq.; O. T. Barrow, Esq.; H. Boil, Esq. (*annuitant*).

A. Smith, Esq., in the chair.

THE Managers presented to the Meeting the following report of their proceedings for the half-year ending on the 31st December 1884 :—

REPORT.

THE Managers submit the proceedings for the past Half-year for the consideration and sanction of the Meeting

2. Subject to the approval of the subscribers, they have admitted to the benefits of the Fund the following families :—

Mrs. Dumergue	...	...	£ 300	The widow of the late Mr. J. S. Dumergue, Annuitant of 1862, who died on the 27th June 1884.
Mrs. Shakespear	...	...	£ 300	The widow and two daughters of the late Mr. A. Shakespear, Annuitant of 1873, who died on the 5th July 1884.
2 Daughters	...	...	£ 200	
			£ 500	
Miss Harvey	...	...	£ 150	The daughter of the late Sir G. F. Harvey, K.C.S.I., Annuitant of 1863, who died on the 4th November 1884.
Mrs. Pawsey	...	...	£ 300	The widow and two daughters of the late Mr. R. H. Pawsey, who died at Faridpur on the 10th November 1884.
2 Daughters	...	...	£ 160	
			£ 460	
Mrs. Ridsdale	...	...	£ 300	The widow of the late Mr. S. O. B. Ridsdale, who died at Fatehpur on the 15th November 1884.

3. The votes of the subscribers have affirmed the resolution passed at the General Meeting of the 28th July 1884 respecting the refund, with interest, to Mrs. Lane of the subscriptions paid by her to keep alive her late husband's interest in the Fund. One hundred and fifty-eight subscribers voted for, and three against, the proposal.

In the report presented to that Meeting it was said that the case of Mrs. Bruce Lane had been laid before Counsel, and a statement of the case as well as an opinion of Mr. Evans that Mrs. Bruce Lane can never participate in the benefits of the Fund were annexed to the report. The facts have again been represented to the Managers by Mr. C. S. Belli, Mrs. Lane's brother, and have again been under careful consideration and discussion. Although there is some difference of opinion among the Managers as to the action they should now take, there is none in regard to the sympathy felt for Mrs. Lane and in the desire, if possible, to enable her to participate in the advantages of the Fund in the event of Mr. Lane's death. The Managers feel also that they are under a special obligation to consider this case in consequence of the language used in their Secretary's letter of the 29th December 1879, which undoubtedly had the effect of misleading Mrs. Lane to suppose that her interest in the Fund would not be affected by the fact of her obtaining a divorce from her husband. It may be added that this misunderstanding was apparently also shared by the Divorce Court itself, for Sir James Hannen's decision directed that Mr. Lane should continue his subscriptions to the Fund for the purpose of securing to Mrs. Lane her pension in case she should survive him. This decree has not been obeyed by Mr. Lane, but in order to keep his interest alive, the subscriptions have been regularly paid by Mrs. Lane's brother. The resolution passed at the last General Meeting and confirmed by the Service authorised the Managers to refund these subscriptions, but Mr. Belli has refused to receive them. He still hopes that the case may be reconsidered and that, notwithstanding Counsel's opinion, the claim of Mrs. Lane may eventually be admitted.

The Managers, as they have already reported to the Subscribers, are not in a position to draft a rule to meet the circumstances of this particular case, and it is obvious that the eventuality which such a rule would contemplate may never occur. They are however of opinion that if Mrs. Bruce Lane should survive Mr. Lane, and should up to the time of his death have kept alive his interest in the Fund by payment of subscriptions on his behalf, her case will be one particularly deserving of compassionate consideration at the hands of the authority which may then be administering the affairs of the Fund. The Managers cannot pledge their successors in a matter for which no provision is made by the rules. Should, however, the negotiations now in progress result in the transfer of the management of the Fund to the Secretary of State, it would seem that the considerations which in their position as Trustees render it difficult for them to take action would no longer apply. They desire therefore to do all that lies in their power on Mrs. Lane's behalf by now placing on record their hope and wish that if at any time the contingency should occur which will make it necessary for her to apply for a pension from the Fund, a special exception may be made in her favour, and her case be favourably and liberally considered.

The Managers' proceedings in this matter are now laid before the subscribers for their approval.

4. The Managers desire to report for the information of the subscribers that in accordance with the resolution of the last Half-yearly General Meeting held on the 28th July 1884, they have addressed a letter to the Secretary of State through the Government of India on the subject of the proposed transfer of the Fund. A copy of the letter is appended to this report.

5. Mr. J. W. Muir has incurred the penalty specified under Article XXXVII of the Rules by his omission, for more than one year, to pay the subscriptions on his furlough allowances, necessary to keep up his interest in the contingent benefits of the Fund. Mr. Muir has explained that he was under the impression that all subscriptions due to the Fund were adjusted on the return of the subscriber to India.

The Managers submit the question of his re-admission on payment of all arrears of subscription, with interest at 8 per cent., for the decision of the Meeting.

The accounts for 1883-84 are submitted.

Abstract of the Accounts of the Bengal Civil Fund for 1883-84.

UNAPPROPRIATED FUNDS.						Bearing interest at 8 per cent.	Bearing interest at 5 per cent.
						Rs. A. P.	Rs. A. P.
By balance, 1st April 1883	...	...	...	...	...	56,31,202 14 1	54,52,399 0 2
„ interest	...	...	...	...	...	3,75,525 15 1	2,78,369 13 10
„ subscriptions during the year	...	...	...	...	...	2,62,041 7 11	2,01,240 1 3
„ payment by an annuitant in India to complete subscription balance to Rs. 25,000	...	...	...	...	...	6,034 8 9	.....
„ composition payment made by a subscriber in England	...	...	...	...	...	1,408 8 0	.....
„ contributions by annuitants in India	...	...	...	...	...	4,440 15 3	583 10 0
„ ditto paid in England and by absentees on furlough	...	...	...	...	...	21,635 13 1	4,059 14 11
„ fine from 12 subscribers, including 8 for unequal age at marriage	...	...	...	...	...	.....	6,920 7 0
„ do. from one subscriber in England	...	...	...	...	...	.....	150 0 0
„ amount granted by the Government for the payment of pensions of families of subscribers killed in the mutiny	...	...	...	...	...	21,476 10 8	10,106 10 8
„ transfer from Annuity Fund	...	...	...	...	...	1,224 0 0	576 0 0
„ amount granted by the Government for extra establishment	...	...	...	...	...	183 8 5	86 5 10
„ donation from the Government paid in England	...	...	...	...	...	25,000 0 0	.....
						63,50,174 5 3	59,54,491 15 8
Deduct—							
To transfer to Appropriated Funds—							
„ value of pension of a posthumous daughter of Mr. H. M. Tobin	...	...	...	...	...	4,741 10 3	3,309 12 2
„ ditto of Mrs. H. C. T. Robinson, three daughters, and one son	...	...	...	...	...	45,024 10 2	28,086 15 1
„ ditto of the Hon'ble Mrs. R. Forbes, widow of the Hon'ble R. Forbes (annuitant)	...	...	...	...	...	9,302 6 5	4,807 3 2
„ ditto of Mrs. F. Skipwith, widow, and one daughter of F. Skipwith (annuitant)	...	...	...	...	...	19,214 1 4	10,989 12 2
„ ditto of Mrs. W. Oldham, widow of W. Oldham (annuitant)	...	...	...	...	...	15,638 9 8	9,741 9 8
„ ditto of Mrs. G. L. Martin, widow of G. L. Martin (annuitant)	...	...	...	...	...	20,196 0 0	12,316 12 10
„ ditto of Mrs. E. Colvin	...	...	...	...	...	21,062 12 10	13,324 12 10
„ ditto of Mrs. H. Armstrong, widow, and two daughters of H. Armstrong (annuitant)	...	...	...	...	...	24,165 13 5	14,148 12 10
„ ditto of Mrs. R. M. Skinner, widow, and one daughter of R. M. Skinner (annuitant)	...	...	...	...	...	17,500 7 8	9,923 3 3
„ ditto of Mrs. J. Samuel Armstrong, two daughters, and two sons	...	...	...	...	...	46,325 14 2	28,223 14 11
„ interest thereon	...	...	...	...	...	8,804 15 2	3,364 3 2
„ transfer to Appropriated Funds on account of pensions payable by Government	...	...	...	...	...	21,476 10 8	10,106 10 8
„ refund of overpaid subscriptions	...	...	...	...	...	1,085 1 11	655 1 5
„ establishment, &c.	...	...	...	...	...	7,533 9 3	3,545 3 6
„ printing charges	...	...	...	...	...	709 7 3	333 15 8
						2,62,770 2 2	1,53,537 15 4
Balance, 31st March 1884	...	...	...	...	...	60,87,404 3 1	58,00,954 0 4
APPROPRIATED FUNDS.							
By balance, 1st April 1883	...	...	...	...	...	61,77,363 0 11	11,07,835 0 11
„ interest	...	...	...	...	...	3,38,468 3 3	50,561 6 4
„ transfer from Unappropriated Funds, values of pensions granted to the above ten families within the year	...	...	...	...	...	2,23,160 5 11	1,35,532 12 11
„ interest thereon	...	...	...	...	...	8,804 15 2	3,364 3 2
„ transfer from Unappropriated Funds on account of pensions payable by Government	...	...	...	...	...	21,476 10 8	10,106 10 8
						67,69,273 3 11	13,07,400 2 0
Deduct—							
To pensions paid in England under old rules	...	...	...	...	...	1,03,000 0 0	.....
„ ditto ditto new ditto	...	...	...	...	...	6,32,712 1 3	2,83,742 2 9
„ ditto India ditto	...	...	...	...	...	9,078 4 10	4,272 2 3
„ bonus paid to incumbents ditto	...	...	...	...	...	.....	7,361 0 4
						7,44,790 6 1	2,95,375 5 4
Balance, 31st March 1884	...	...	...	...	...	60,24,482 13 10	10,12,024 12 8
TOTAL BALANCE, 31st MARCH 1884	...	...	...	...	...	1,21,11,887 0 11	68,12,978 13 0

INVESTMENT OF THE ABOVE BALANCE.

	Rs.	A.	P.
Invested treasury notes at 8 per cent.	1,11,72,594	10	7
Uninvested at 8 per cent. (since invested)	9,99,292	6	4
Ditto at 5 per cent.	68,12,978	13	0
Total	1,89,24,865	13	11

COMPARISON OF THE BALANCE.

	Rs.	A.	P.
Balance, 31st March 1884	1,89,24,865	13	11
Ditto, 31st March 1883	1,83,68,800	0	1
Increase	5,56,065	13	10

E. E.

CHAS. S. BAYLEY,

Secretary and Accountant.

BENGAL CIVIL FUND OFFICE, }
The 26th January 1885. }

Proposed by *Mr. Pasford* and seconded by *Mr. Wilkins*, that the Managers' proceedings in admitting to the benefits of the Fund the families of the late Sir G. F. Harvey, K.C.S.I., and Messrs. J. S. Dumergue, A. Shakespeare, R. H. Pawsey, and S. O. B. Ridsdale, be confirmed.

Carried *nem con.*

Proposed by *Mr. Logan* and seconded by *Mr. Finlay*, that the Managers' action in regard to the case of Mrs. T. Bruce Lane be approved.

Mr. Kisch asked if there was not some inconsistency in the manner in which the case had been treated. A tender of a refund of subscriptions had been made to Mr. Belli on behalf of Mrs. Bruce Lane on the ground that she could never participate in the benefits of the Fund. This tender had been refused, and now the Managers had suggested to her that she might continue to subscribe, and perhaps ultimately be admitted to the benefits of the Fund.

Mr. Westland observed that the explanation of the apparent inconsistency was to be found in the position held by the Managers, who in view of the possible transfer of the Fund to the Secretary of State had not felt themselves at liberty to take any action which might have the effect of burdening the Fund with liabilities not contemplated by the rules, but who desired to place on record their opinion as to the hardship of the case and to suggest a means by which that hardship would possibly be obviated were the future management to remain in the hands of the Service. The course taken by them was in accordance with the advice of Counsel, whose opinion Mr. Westland desired the Secretary to read to the Meeting.

The following passage from Mr. Evans' opinion was then read by the Secretary :—

"I think the only safe course is for the Managers to inform Mrs. Bruce Lane and Mr. Belli that with every desire to meet so hard a case, they have no power to do so, and to decline to receive any future payments unless they are expressly stated to be made on behalf of Mr. Bruce Lane, after notice that they can be of no benefit to Mrs. Lane."

The resolution was then put to the vote and carried *nem con.*

Proposed by *Mr. Wilkins* and seconded by *Mr. Armstrong*—

"That Mr. J. W. Muir be restored to the rights of a subscriber on payment of all arrears of subscription with interest at the rate of eight per centum."

Carried *nem con.*

Proposed by the *Hon'ble J. Quinton* and seconded by *Mr. Kisch*—

"That the accounts for the year 1883-84 be approved."

Carried *nem con.*

Proposed by the *Hon'ble Mr. Justice McDonell* and seconded by *Mr. Westland*—

That the following gentlemen be elected Managers for the ensuing year :—Mr. H. A. Cockorell, C.S.I., the Hon'ble Mr. Justice Tottenham, Mr. H. L. Harrison, the Hon'ble Mr. Justice Beverley, and Mr. H. J. S. Cotton.

Carried *nem con.*

The meeting separated with a vote of thanks to the chair.

BENGAL CIVIL FUND OFFICE, }

The 25th January 1885.

A. SMITH,

Chairman.

PROMISSORY NOTES.

Stolen.

The Government Promissory Notes Nos. 047153 and 134185, and 048510, of the 4 per cent. of 1842-43 and 1854-55, for Rs500 each, and for Rs1,000, respectively, originally standing in the names of Mahomed Ali Rogay and Bank of Bengal, and Dwarkanath Raghoba and Raghoba

Pandurang, and last endorsed to Dwarkanath Raghoba and Raghoba Pandurang, the proprietors, by whom they were never endorsed to any other person. Payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicates in favour of the proprietors.

DWARKANATH RAGHOBHA,
Hyderabad, Sind.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 14, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 30th January, 1885, and is hereby promulgated for general information :—

ACT No. II OF 1885.

An Act to amend the Negotiable Instruments Act, 1881.

WHEREAS it is expedient to amend the Negotiable Instruments Act, 1881, in manner hereinafter appearing; It is hereby enacted as follows :—

Short title.

ments Act, 1885.

2. In the fourth paragraph of section 7 of the Negotiable Instruments Act, 1881, for the words "When a bill is protested for non-acceptance" the following shall be substituted, namely :—"When a bill of exchange has been noted or protested for non-acceptance or for better security."

New section inserted for section 45 of the same Act.

"45A. Where a bill of exchange has been lost before it is over-due, the person who was the holder of it may apply to the drawer to give him another bill of the same tenor, giving security to the drawer, if required, to indemnify him against all persons whatever in case the bill alleged to have been lost shall be found again.

1. This Act may be called the Negotiable Instruments Act, 1885.

3. After section 45 of the same Act the following shall be inserted :—

"If the drawer on request as aforesaid refuses to give such duplicate bill, he may be compelled to do so."

4. To section 61, and the first paragraph of section 61, of the same Act, the following shall be added :—

"Where authorised by agreement or usage, a presentment through the post office by means of a registered letter is sufficient."

5. To section 101 of the same Act the following shall be added :—

"A notary public may make the demand mentioned in clause (c) of this section either in person or by his clerk or, where authorised by agreement or usage, by registered letter."

6. After section 104 of the same Act the following shall be inserted :—

"104A. For the purposes of this Act, where a bill or note is required to be protested within a specified time or before some further proceeding is taken, it is sufficient that the bill has been noted for protest before the expiration of the specified time or the taking of the proceeding; and the formal protest may be extended at any time thereafter as of the date of the noting."

Section 108 of the same Act, in part, repealed.

7. In the same Act, section 108, the second sentence is repealed.

Amendment of section 109 of same Act.

8. In the same Act, section 109,

(a) for the words "in the presence of a notary public subscribe the bill with his own hand and" the following shall be substituted, namely :—"by writing on the bill under his hand;" and

(b) the last twelve words are repealed.

9. In the same Act, section 113, after the words "the person so paying" the words "or his agent in that behalf" shall be inserted.

New chapter added to
same Act.

10. After Chapter XVI of
the same Act, the following
shall be inserted :—

“ CHAPTER XVII.

“ NOTARIES PUBLIC.

“ 138. The Governor General in Council may,
from time to time, by notifi-
cation in the official Gazette,
appoint any person, by name
or by virtue of his office, to be a notary public
under this Act and to exercise his functions as
such within any local area, and may, by like noti-

fication, remove from office any notary public
appointed under this Act.

“ 139. The Governor General in Council may,
from time to time, by noti-
fication in the official Ga-
zette, make rules consistent
with this Act for the guidance and control of
notaries public appointed under this Act, and may,
by such rules, (among other matters) fix the fees
payable to such notaries.”

R. J. CROSTHWAITE,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 30th January, 1885, and is hereby promulgated for general information:—

ACT NO. III OF 1885.

An Act to amend the Transfer of Property Act, 1882.

WHEREAS it is expedient to amend the Transfer of Property Act, 1882; It is hereby enacted as follows:—

1. For the fifth clause of section I of the said Act the following shall be substituted, namely:—

“And any Local Government may, with the previous sanction of the Governor General in Council, from time to time, by notification in the local official Gazette, exempt, either retrospectively or prospectively, any part of the territories administered by such Local Government from all or any of the following provisions, namely:—

“Sections fifty-four, paragraphs two and three, fifty-nine, one hundred and seven and one hundred and twenty-three.”

2. The following clause shall be deemed to have been added to the first section of the said Act from the date on which it came into force, namely:—

“Notwithstanding anything in the foregoing part of this section, sections fifty-four, paragraphs

two and three, fifty-nine, one hundred and seven and one hundred and twenty-three shall not extend or be extended to any district or tract of country for the time being excluded from the operation of the Indian Registration Act, 1877, under the power III conferred by the first section of that Act or otherwise.”

Addition to section 4 of same Act. 3. To section 4 of the said Act the following shall be added, namely:—

“And sections fifty-four, paragraphs two and three, fifty-nine, one hundred and seven and one hundred and twenty-three shall be read as supplemental to the Indian Registration Act, 1877.” III

4. To section 6 of the said Act the following Addition to section 6 clause shall be added:— of same Act.

“(i) Nothing in this section shall be deemed to authorize a tenant having an untransferable right of occupancy, the farmer of an estate in respect of which default has been made in paying revenue or the lessee of an estate under the management of a Court of Wards, to assign his interest as such tenant, farmer or lessee.”

Amendment of section 69 of same Act. 5. In section 69 of the said Act—

(a) after the words “is valid in the following cases” the words “and in no others” shall be inserted; and

(b) after the words “Hindu, Muhammadan or Buddhist,” in both places where they occur, there shall be inserted the words “or a member of any other race, sect, tribe or class from time to time specified in this behalf by the Local Government, with the previous sanction of the Governor General in Council, in the local official Gazette.”

R. J. CROSTHWAITE,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 30th January, 1885, and is hereby promulgated for general information :—

ACT NO. IV OF 1885.

An Act to provide for the temporary appointment from time to time of an Additional Judicial Commissioner for Oudh.

WHEREAS it is expedient to provide for the temporary appointment from time to time of an Additional Judicial Commissioner to assist the Judicial Commissioner of Oudh ; It is hereby enacted as follows :—

1. (1) This Act may be called the Oudh Additional Judicial Commissioner's Act, 1885 ; and
- (2) It shall come into force at once.

2. (1) The Local Government may, from time to time, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, appoint such person as it thinks fit to be an Additional Judicial Commissioner, and to sit as such in the Court of the Judicial Commissioner of Oudh.

(2) Every person so appointed shall hold his office during the pleasure of the Local Government.

3. Every Additional Judicial Commissioner shall exercise such jurisdiction and powers of the Judicial Commissioner under any enactment for the time being in force as the Local Government may, from time to time, prescribe, but only in such cases as the Judicial Commissioner may direct.

4. Every enactment for the time being applicable to the Judicial Commissioner shall apply to the Additional Judicial Commissioner when exercising any jurisdiction or powers under the last foregoing section, as if he were the Judicial Commissioner.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 6th February, 1885, and is hereby promulgated for general information:—

ACT No. V OF 1885.

An Act to amend the Indian Ports Act, 1875.

WHEREAS it is expedient to amend the Indian Ports Act, 1875, in manner hereinafter appearing; It is hereby enacted as follows:—

1. In section 42 of the said Act, for the words
Amendment of section 42 of the Indian Ports Act, 1875. “Conservator of every port to which such order relates, and in the custom-house, if any, of every port subject to this Act” the following shall be substituted, namely:—“Conservator, and at the custom-house, if any, of every port to which such order relates.”

2. To the fourth paragraph of section 47 of the said Act the following
Addition to section 47 of the same Act. shall be added, namely:—
 “The expenses aforesaid shall also include the pensions, allowances and gratuities of persons who have been employed under this Act in the port, or such portion of

those pensions, allowances and gratuities as the Local Government may by rule determine.”

3. After the fifth paragraph of the same section the following shall be
Further addition to the same section. inserted and shall be deemed to have been inserted from the date on which the said Act came into force, namely:—“With the previous sanction of the Local Government the authorities of any port may, from time to time, contribute a sum from the Port Fund Account of that port for all or any of the purposes mentioned in section sixty.

“The sum so contributed shall, if, and so long as, the Local Government so directs, be in substitution of any Hospital Port-dues imposed under section fifty-nine at that port.”

4. To the third paragraph of section 59 of the
Addition to paragraph 3, section 59, of the same Act. same Act the following shall be added, namely:—
 “The Local Government may, from time to time, by notification in the official Gazette, cancel any such order.”

5. In the entry relating to the Cuttack ports
Amendment of Schedule I, Part II, of the same Act. in Part II of the First Schedule of the same Act, for the words “not exceeding six annas per hundred maunds” the following shall be substituted, namely:—“Not exceeding four annas per ton.”

R. J. CROSTHWAITE,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 6th February, 1885, and is hereby promulgated for general information :—

ACT No. VI OF 1885.

An Act to amend Act XXII of 1881.

WHEREAS it is expedient to amend the Excise Act, 1881 ; It is hereby enacted as follows :—

1. In section 28 of the said Act, after the words "ten rupees" the words "or who receives an annual remuneration equivalent to such salary" shall be inserted.

2. In the first paragraph of section 29 of the same Act, after the word "salary" the words "or annual remuneration" shall be inserted ; and in the second paragraph of the same section, after the word "rupees" the words "unless the Excise-officer is himself such an officer of police" shall be inserted.

New section inserted after section 34 of same Act.

34A. The Local Government may, from time to time, invest either by name or in virtue of his office—

(a) any police-officer with the powers conferred on Excise-officers by section 27 of this Act ;

(b) any police-officer in charge of a station or any police-officer of or above the grade of head-constable or sergeant with the powers conferred on Excise-officers by sections 28 and 29 of this Act.

Every officer so invested shall, for all purposes connected with the exercise of these powers, be deemed to be an Excise-officer within the meaning of this Act."

New section substituted for section 47.

4. For section 47 of the same Act the following shall be substituted, namely :—

47. A Court shall not take cognizance of an offence punishable under any one of the following sections, namely, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-one, forty-two and forty-three, except on the complaint or report of the Collector or an Excise-officer ; and a Court shall not take cognizance of any offence punishable under this Act unless the prosecution is instituted before the expiry of six months next after the commission of such offence."

R. J. CROSTHWAITE,

Offg. Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 14, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Bills introduced into the Council of the Governor General for making
Laws and Regulations, or published under Rule 22.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

•[Third Publication.]

The following Report of the Select Committee on the Bill to amend the Transfer of Property Act, 1882, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 23rd January, 1885:—

We, the undersigned Members of the Select Committee to which the Bill to amend the

From Officiating Registrar, High Court, Calcutta, No. 2596, dated 15th September, 1884 [Paper No. 1].

From Secretary to Chief Commissioner, Coorg, No. 813—114, dated 13th September, 1884 [Paper No. 2].

Endorsement by Officiating Under-Secretary to Government of India, Home Department, No. 1252, dated 24th September, 1884, and enclosures [Papers No. 3].

From Officiating Secretary to Chief Commissioner, British Burma, No. 125—16L, dated 9th October, 1884, and enclosures [Papers No. 4].

From Chief Commissioner, Ajmer-Merwara, No. 880, dated 17th October, 1884 [Paper No. 5].

From Secretary for Benar to Resident, Hyderabad, No. 376G., dated 21st October, 1884, and enclosures [Papers No. 6].

From Chief Secretary to Government, Madras, No. 2681, dated 18th October, 1884, and enclosures [Papers No. 7].

From Under-Secretary to Government, Bombay, No. 7599, dated 31st October, 1884, and enclosures [Papers No. 8].

From Officiating Secretary to Government, Panjáb, No. 987, dated 14th November, 1884, and enclosures [Papers No. 9].

From Officiating Assistant Secretary to Chief Commissioner, Central Provinces, No. 5321—245, dated 14th November, 1884, and enclosure [Paper No. 10].

From Secretary to Government, North-Western Provinces and Oudh, No. 1147—VII-279-19, dated 5th November, 1884, and enclosures [Papers No. 11].

From Bábú Charu Chandra Mookerjee, dated 2nd November, 1884 [Paper No. 12].

Extract, paragraph III, from Proceedings of the Meerut Association, No. 13, dated 16th November, 1884 [Paper No. 13].

From Under-Secretary to Government, North-Western Provinces and Oudh, No. 1326—VII-277-23, dated 13th December, 1884, and enclosure [Papers No. 14].

From Officiating Secretary to Government, Bengal, No. 3001 J., dated 19th December, 1884, and enclosures [Papers No. 15].

From Secretary to Government, North-Western Provinces and Oudh, No. 1375—VII-277-26, dated 23rd December, 1884, and enclosures [Papers No. 16].

Memorandum by Bábú Gridhar Dás, Honorary Magistrate, and Vice-Chairman, Municipal Fund, and Member of the District Board, Zila Etawah, No. 1, dated 20th December, 1884 [Paper No. 17].

From the Hon'ble Mr. Justice S. Mahmúd, Allahabad, dated 13th January, 1885 [Paper No. 18].

bay, Mr. Justice West and others are strongly in favour of making the exemption from the provisions of section 41 of the Act local and not personal. It has also been urged, especially by Mr. Justice Mahmúd, that power should not be given to exempt from the provisions of section 41. Mr. Mahmúd says, "As I understand the law, the provisions of section 41 of the Transfer of Property Act are nothing more or less than the repetition of the rule of natural equity which belongs to almost every department of law connected with the dealings of one human being with another. The rule of equitable estoppel is so important that, irrespective of section 41 of the Transfer of Property Act, I, speaking for my own part, would, regardless of the nationality of parties, apply it to all transactions which came before me and which fur-

Transfer of Property Act, 1882, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

2. It is generally admitted that the provisions of section 1 (a) of the Bill will amend the Act satisfactorily, but there are differences of opinion as to clause (b) of that section. The Government of Bom-

force wherever the Act is in force. If that section were excluded from the Act, the Courts would probably, on general principles of equity, follow the rule which it contains. We think, therefore, that it is unnecessary to give any power to exempt from the provisions of section 41, and have struck out clause (b), section 1 of the Bill.

4. With regard to some questions raised as to the effect of section 3 of the Bill, we may mention that the Transfer of Property Act in requiring that certain transfers shall be made by a registered instrument does not conflict with the Indian Registration Act. That Act requires that certain documents shall be registered in order to render them capable of affecting certain property and admissible in evidence of any transaction affecting such property. The Transfer of Property Act, on the other hand, provides that certain transfers can only be effected by a registered instrument.

5. With reference to section 4 of the Bill, it has been suggested that section 69 of the Act should be restored to the form proposed by the Indian Law Commission. The question whether a power of sale should be valid in all cases where the property secured by the mortgage was of a certain value was fully discussed at the time the Act was passed. It was then decided that the valuation test should not be adopted, and we consider that it is inexpedient to re-open the question now.

6. Objections have been raised relating to the chapter on leases of immoveable property. These are sufficiently met by section 117 of the Act, which exempts leases for agricultural purposes from the provisions of the chapter.

7. We have taken the opportunity of adding to section 6 of the Act a clause (i) containing a proviso like that of sub-section (j), section 108. If the chapter on leases does not apply to leases for agricultural purposes, then the proviso to sub-section (j) will not be in force. It might therefore happen that an untransferable right of occupancy, the term of an estate in respect of which default had been made in paying revenue or the lease of an estate under the Court of Wards might be held to be transferable by virtue of the general power of transfer conferred by section 6.

8. The publication ordered by the Council has been made as follows :—

<i>Gazette.</i>		<i>In English.</i>	<i>Date.</i>
<i>Gazette of India</i>	23rd and 30th August, and 6th September, 1884.
<i>Port Saint George Gazette</i>	9th September, 1884.
<i>Bombay Government Gazette</i>	28th August, and 4th and 11th September, 1884.
<i>Calcutta Gazette</i>	3rd, 10th and 17th September, 1884.
<i>North-Western Provinces and Oudh Government Gazette</i>	30th August, and 6th and 13th September, 1884.
<i>Punjab Government Gazette</i>	28th August, and 4th and 11th September, 1884.
<i>Central Provinces Gazette</i>	30th August, and 6th and 13th September, 1884.
<i>British Burma Gazette</i>	13th, 20th and 27th September, 1884.
<i>Assam Gazette</i>	13th September, 1884.

<i>Province.</i>		<i>Language.</i>	<i>Date.</i>
Madras	...	Hindustani	...
		Telugu	...
		Malayalam	...
		Tamil	...
		Canarese	...
Panjab	...	Urdu	...
	
British Burma	...	Burmese	...
	

9. We do not think that the measure has been so altered as to require republication, and we recommend that it be passed as now amended.

C. P. ILBERT.
J. GIBBS.
PEÁRI. MOHAN MUKERJI.
H. ST. A. GOODRICH.
G. H. P. EVANS.

The 21st January, 1885.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Report of the Select Committee on the Bill to amend the Negotiable Instruments Act, 1881, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 23rd January, 1885:—

We, the undersigned Members of the Select Committee to which the Bill to amend the

From Officiating Secretary to Chief Commissioner, Assam, No. 393, dated 3rd April, 1884, and enclosure [Papers No. 1].
 From Secretary for Benar to Resident, Hyderabad, No. 1150, dated 7th April, 1884, and enclosures [Papers No. 2].
 From Secretary to Chief Commissioner, Central Provinces, No. 2635—120, dated 3rd June, 1884 [Paper No. 3].
 From Secretary to Chief Commissioner, Coorg, No. 288—I. 41, dated 2nd June, 1884 [Paper No. 4].
 Office memorandum by Home Department, No. 829, dated 18th June, 1884, and enclosures [Papers No. 5].
 From Chief Commissioner, Ajmer-Merwara, No. 486, dated 23rd June, 1884, and enclosures [Papers No. 6].
 From Under-Secretary to Government, Bombay, No. 4659, dated 30th June, 1884, and enclosures [Papers No. 7].
 From Secretary to Government, North-Western Provinces and Oudh, No. 527—VII-27-10, dated 2nd July, 1884, and enclosure [Papers No. 8].
 From Chief Secretary to Government, Madras, No. 1579, dated 26th June, 1884, and enclosure [Papers No. 9].
 From Officiating Secretary to Chief Commissioner, British Burma, No. 106—71, dated 4th July, 1884, and enclosure [Papers No. 10].
 From Officiating Secretary to Government, Punjab, No. 661, dated 23rd July, 1884, and enclosures [Papers No. 11].
 From Officiating Registrar, High Court, Calcutta, No. 1872, dated 30th July, 1884 [Paper No. 12].
 From Officiating Secretary to Government, Bengal, No. 1339T.—R., dated 31st July, 1884 [Paper No. 13].

owner of a lost bill or note can get a duplicate from the drawer or maker. We think that this omission should be supplied, and have accordingly inserted in the Bill a section (2) taken from section 69 of the English Statute. Actions on lost bills are sufficiently provided for by section 61 of the Code of Civil Procedure.

3. With reference to the remarks forwarded by the Government of Madras, we think that clause (c), section 101 of the Act, does seem to imply that to render a protest valid the demand must be made by the notary public in person. If the law be so understood, it will cause inconvenience, and to remove all doubts we consider that the section should be amended so that it may be clear that a demand may be made by a notary public's clerk in person. The Act might also, we think, be still further amended so as to afford greater facilities for presenting bills and demanding acceptance or payment. The English Act [section 41 (1) (e) and section 45 (8)] provides that a bill is duly presented for acceptance or payment when presented through the post office in cases where such presentment is authorised by agreement or usage. We think that it is desirable to extend to this country similar facilities for presenting bills, but we consider that when presentment through the post office is allowed it should be made by means of a registered letter. We have accordingly, in section 3 of the Bill, made additions to the Act which will validate a presentment through the post office by means of a registered letter when such a presentment is authorised by agreement or usage. We have also, in section 4 of the Bill, added to section 101 a clause to the effect that the demand mentioned in clause (c) may be made by the notary public in person or by his clerk in person or, where authorised by agreement or usage, by a registered letter.

4. It has been pointed out that while section 108 implies that acceptance for honour may take place when a bill has been noted or protested, the definition of "acceptor for honour" (section 7) shows that an acceptance for honour is made after a bill is protested. It might be held therefore that there could be no acceptance for honour until a bill had been

In the Vernaculars.

<i>Province.</i>	<i>Language.</i>	<i>Date.</i>
Punjab ...	Urdu ...	1st, 8th and 15th December, 1884.
British Burma ...	Burmese ...	29th November, and 6th and 13th December, 1884.

7. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

J. W. QUINTON.

C. P. ILBERT.

A. COLVIN.

The 30th January, 1885.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Report of the Select Committee on the Bill to amend the Indian Ports Act, 1875, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 30th January, 1885 :—

We, the undersigned Members of the Select Committee to which the Bill to amend the Indian Ports Act, 1875, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report.

From Officiating Secretary to Chief Commissioner, British Burma, No. 243-49 P. D., dated 15th November, 1883 [Paper No. 1].
 From Chief Secretary to Government, Madras, No. 549, dated 16th November, 1883, and enclosure [Papers No. 2].
 From Officiating Secretary to Government, Bengal, No. 2479, dated 26th November, 1883, and enclosures [Papers No. 3].
 Endorsement by Officiating Under-Secretary to Government of India, Department of Finance and Commerce, No. 5, dated 4th January, 1884, and enclosures [Papers No. 4].
 Office Memorandum by Department of Finance and Commerce, No. 885, dated 10th May, 1884, and enclosures [Papers No. 5].
 Endorsement by Acting Secretary to Government, Bombay, No. 270, dated 4th July, 1884, and enclosure [Papers No. 6].
 From Secretary to Government, Bengal, No. 35, dated 9th January, 1885, and enclosure [Papers No. 7].
 Endorsement by Officiating Under-Secretary to Government, Bengal, No. 111, dated 14th January, 1885, and enclosures [Papers No. 8].

2. At the suggestion of the Government of Madras we have inserted in the Bill a section (1) amending section 42 of the Act. That section directs that the orders of a Local Government made in pursuance of the Act shall be, in addition to other modes of publication, fixed up in the custom-house, if any, of every port subject to this Act. A difficulty is experienced in carrying out this direction, and we consider that it will be sufficient to provide that the order shall be fixed up in some conspicuous place in the office of the Conservator, and at the custom-house, if any, of every port to which the order relates.

3. We have amended section 1 of the Bill (now section 2) so as to provide for cases where the service of a person entitled to pension has been partly at the port and partly elsewhere.

4. At the request of the Bombay Government we have provided in section 3 of the Bill that money may be spent from the Port Fund Account for the support of hospitals for seamen or for providing sanitary superintendence and medical aid for the shipping and seamen belonging to ships in ports.

5. We have altered the rate of port-dues prescribed in the first schedule of the Act for the Cuttack ports, as the Government of Bengal finds that the present rate does not yield an income sufficient to meet the necessary expenses of the ports.

6. The publication ordered by the Council has been made as follows :—

In English.

<i>Gazette.</i>		<i>Date.</i>
<i>Gazette of India</i> ...	...	13th, 20th and 27th October, 1883.
<i>Fort St. George Gazette</i> ...	...	30th October, 1883.
<i>Bombay Government Gazette</i> ...	...	18th and 25th October, and 1st November, 1883.
<i>Calcutta Gazette</i> ...	...	27th and 31st October, and 7th November, 1883.
<i>British Burma Gazette</i> ...	...	3rd, 10th and 17th November, 1883.

In the Vernaculars.

<i>Province.</i>		<i>Language.</i>		<i>Date.</i>
Bombay	...	Guzarāthī	...	8th November, 1883.
		Kanarese	...	8th November, 1883.
		Marāthī	...	15th November, 1883.
Bengal	...	Bengalī	...	13th and 20th November, 1883.
		Hindī	...	27th November, 1883.
British Burma	...	Burmese	...	17th and 24th November, 1883.

7. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

C. P. ILBERT.
A. COLVIN.
H. J. REYNOLDS.

The 30th January, 1885.

R. J. CROSTHWAITE,
Offg. Secy. to the Govt. of India.



SUPPLEMENT TO The Gazette of India.

N^o 7. } CALCUTTA, SATURDAY, FEBRUARY 14, 1885.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the GAZETTE may receive the SUPPLEMENT separately on a payment of six Rupees per annum if delivered in Calcutta, or nine Rupees if sent by Post.

No Official Orders or Notifications, the publication of which in the GAZETTE OF INDIA is required by Law, or which it has been customary to publish in the CALCUTTA GAZETTE, will be included in the SUPPLEMENT. For such Orders and Notifications the body of the GAZETTE must be looked to.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
CIVIL WORKS.
Telegraph.

ADMINISTRATION REPORT OF THE INDIAN TELEGRAPH DEPARTMENT FOR THE YEAR 1883-84.

No. 22 T., dated Fort William, the 4th February 1885.

RESOLUTION—By the Government of India, Public Works Department.

Read—

Letter from the Director General of Telegraphs in India, No. 538T., of 18th December 1884, and its enclosure—the Administration Report of the Indian Telegraph Department for the year 1883-84.

RESOLUTION.—During the year 1883-84, the development of the Telegraph Department was very marked. The mileage of telegraph lines was increased from 21,740 to 23,207; the mileage of wires from 62,960 to 68,669; the number of Telegraph Signal Offices from 324 to 347. Under each of these three heads the increase of the year has been greater than that of any of the three previous years. At the same time, great progress was made in giving practical effect to the scheme for combined action between the Postal and Telegraph Departments, as on the 1st December 1883 every Post Office in British India was constituted a Telegraph Receiving Office.

2. The net receipts of the Department have been, during the past four years, as follows :—

	R
1880-81	13,30,167
1881-82	6,18,568
1882-83	8,17,797
1883-84	3,80,078

3. The large reduction in the net receipts is due partly to an actual decrease in the message revenue, but mainly to an increase in working charges. The decrease in the net receipts of the Department is not, in itself, a circumstance which the Government of India regards with any dissatisfaction: the result is, to a considerable extent, due to the policy on which lines, known to be unremunerative, have been constructed in the public interests, and to other measures which have increased the general usefulness of the telegraphs of the country, but have tended to a perceptible reduction in the net receipts. The earnings on the new lines just opened may, however, be reasonably expected to increase. The working expenses for the years above mentioned were:—

	R
1880-81	31,71,470
1881-82	32,35,644
1882-83	33,39,442
1883-84	37,44,186

4. The increase in these charges is not quite proportionate to the increase in mileage of lines and wires, but it is very nearly so; it is explained in the Report that there have been, during the year under review, abnormally heavy charges for re-constructing some of the older lines.

5. The gross revenue of the Department for the past four years has been—

	R
1880-81	45,01,637
1881-82	38,54,212
1882-83	41,57,239
1883-84	41,24,264

6. The revenue in 1880-81 was to some extent abnormal in consequence chiefly of the operations in Afghanistan; the decrease in the year under review, which would have been greater but for a largely increased revenue under the head "Claims from guarantors," is mainly due to the increased proportion of messages which are sent by the public as "Deferred;" this fact is one which must be regarded with satisfaction, as indicating the popularity of the new system and of the rates for messages which were introduced in January 1882.

7. That portion of the total revenue of the year which is due to the actual transmission of messages compares with that of the previous year as follows:—

	R
1882-83	32,75,608
1883-84	32,20,067

giving a net decrease of R55,541. This decrease is entirely due to the reduction in the number and value of State messages.

The falling off in the number and value of these under the head of inland messages was as follows:—

	Number of messages.	Value. R
1882-83	253,731	6,09,818
1883-84	226,480	4,71,232

This diminution is rather a matter for congratulation than regret; it indicates, perhaps, economy in the Departments of Government, but more probably the quietness and contentment of the country. The number of State messages has never been so low since the year 1878-79. The private inland messages, on the other hand, shew a slight increase. The figures are—

	Number of messages.	Value. R
1882-83	1,189,437	13,86,630
1883-84	1,236,140	14,15,754

The increases appear to be as below :—

Line mileage	.	.	.	.	.	.	.	6.75 per cent.
Wire „	.	.	.	.	.	.	.	9 07 „
Offices	.	.	.	.	.	.	.	7.10 „
Private messages	.	.	.	.	.	.	.	3.92 „
Receipts from private messages	.	.	.	.	.	.	.	2.10 „

8. The increasing popularity of “Deferred” messages is apparent both in State and private messages. In the year 1882-83, the percentages of “Deferred” messages of these two classes of the whole number of each despatched were 56.06 and 32.06; in the year under review, these percentages were 57.49 and 39.63, respectively, of the total number of messages sent.

9. The steady increase in the foreign traffic is satisfactory; the State messages show a decrease in number, from 5,473 in 1882-83 to 4,918 in 1883-84; and the private messages a small increase, from 350,538 to 357,616. The Indian share of the charges on all foreign messages has increased from R12,79,160 to R13,33,081, and is the largest on record.

10. The speed with which messages have been transmitted has been, on the whole, satisfactory; this is particularly the case with regard to messages on the important route between Calcutta and Kurrachee, which carries a large proportion of the foreign traffic; the average speed on this route has been 62 minutes from Calcutta to Kurrachee, and 36 minutes from Kurrachee to Calcutta. These speeds are, with one exception, superior to those which have been obtained on this route during the past five years. On the Madras-Bombay route also, which is, perhaps, even more important as being the main line from the far East, the speed of transmission has been about 40 minutes; this rate excels any during the last five years.

11. The voluntary examination of signallers was held, as usual, during the year under review, to test the qualification of the staff for promotion. The Government of India notices with satisfaction the good results obtained, and desires that these results may be given every year in future reports; it is thought that this measure is likely to stimulate industry and exertion among the important body of telegraph signallers; and is, at the same time, one which gives to the Head of the Department good grounds, on which he may remote, by selection, the most competent and able men.

12. During the year under review a temporary line of telegraph was completed between Burmah and Siam: the line was actually opened and messages were exchanged with Bangkok. It was found impossible, however, owing to the wild and unhealthy nature of the country, to keep the line in working order during the rainy season. Great exertions are being made during the current season to put this line on a permanent footing with every promise of success.

13. It is extremely satisfactory to notice that the scheme for combined action between the Postal and Telegraph Departments has worked well during the year, and that great progress has been made. The fact that this is so, shews that both the Departments have cordially co-operated to give the best effect to the wishes of Government. It has already been noticed that on the 1st December 1883, every Post Office in India was made a Receiving office for telegrams; from these offices telegrams are despatched, without extra charge, to the nearest telegraph station. Up to the end of the year under review, 24 telegraph offices, formerly worked by telegraph officials, were transferred to postal agency, and 31 new offices were opened under the charge of postal officials. Great progress has been made in instructing these officials in signalling duties: there is every prospect that a large number of new offices will be opened during the current year under the charge of those men who were being trained for this duty during the last year.

14. It would be interesting to know how far the public make use of the Telegraph Receiving Offices for the despatch of messages. The Government

of India desire that some statistics under this head may be given in the next Report.

15. The Telephone Companies have obtained a fair amount of support in the large cities of India. There are exchanges worked by private Companies at Calcutta, Bombay, Madras, Rangoon, and Kurrachee. During the year under review—

The number of subscribers increased from 244 to 411

The number of exchange connections increased from 244 to 392

Amounts realized increased from R73,009 to R1,19,865

at these five towns. The royalty payable by the Companies to Government was reduced during the year from 10 per cent. to 5 per cent. on the gross receipts of the Company.

ORDER.—Ordered that a copy of this Resolution and of the Report be forwarded to the Secretary of State, and to the Local Governments and Administrations noted on the margin, and to the Government of Ceylon and the Commissioner in Sindh.

Also to the Foreign Department for communication to the Resident at Mysore and Coorg.

Also that a copy of this Resolution be forwarded to the Director General of Telegraphs for information and guidance.

Also that a copy of this Resolution and of the Report and Appendices A, B, and F be forwarded to the Home Department of the Government of India for information, and be published in the *Gazette of India*.

W. S. TREVOR, *Colonel, R.E.*,
Secretary to the Govt. of India.

ADMINISTRATION REPORT

OF THE

INDIAN TELEGRAPH DEPARTMENT

FOR

1883-84.

1. The year under review is principally remarkable for the steps that have been taken to spread and increase Telegraphic facilities throughout the country. The arrangements entered into during the latter half of 1883 with the Postal Department, under which every Post Office now accepts telegrams from the public for transmission to the nearest Telegraph Office, and the combination of the Telegraph with the Post Office at many small places where the traffic is not sufficient to support a separate Telegraph Office, have already enabled the Telegraph Department to extend its operations and the benefits of telegraph communication to numerous small trade centres which have previously depended on the post alone.

The scheme was still only in its inception at the close of the year, but the results already obtained go to show that the increased facilities are fully appreciated.

Telephonic enterprise, both by the Department and by private companies, has developed in a fairly satisfactory manner, but it cannot be expected that the use of the Telephone will be appreciated as rapidly in India as in Europe and America. The operations of the Department generally show satisfactory progress, although the net financial results of the year have been affected by abnormally heavy charges for re-constructing some of the older lines.

2. The total working expenses amounted to ₹37,16,330, and the earnings to ₹40,91,417, showing a surplus of ₹3,75,087.

3. The number of paid messages of all kinds tendered at Government offices was 1,828,514, against 1,799,179 during the previous year; but in order that the figures may be comparable, the number for 1882-83 is subject to a deduction of 81,688, being the number of paid messages transferred to the Government lines from licensed systems during the first nine months of 1882-83 under the rules then in force. Under the recent orders of Government, by which each administration retains its own collections on inland paid messages, all such messages transferred to other systems now only appear as paid messages in the accounts of the original administration and are carried free beyond its limits.

The real increase in the number of paid messages during 1883-84 over 1882-83 is therefore 111,023, or 6·4 per cent.

It is satisfactory to record that this increase on all messages is entirely under the head of private messages, and the total increase would have been still greater, but for a considerable decrease in the number of State messages.

4. The net value of paid messages was ₹32,20,068. The increased value of private messages was ₹93,412, or 3·56 per cent. The decreased value of State messages was ₹1,48,952, leaving a net decrease on both private and State messages of ₹55,540. In instituting a comparison between the two years, it is also necessary to allow for the change of account-keeping in dealing with licensed systems referred to above.

This system was in force during three months only in 1882-83 and throughout 1883-84. It is estimated that the loss to the Department and the consequent gain to the licensed systems due to its introduction amounted to ₹15,087 during the latter three months of 1882-83, and ₹1,01,428 for the year 1883-84. Had it not been for this change of system, the receipts of 1883-84 would, in spite of the great reduction in value of State messages, have shown an increase of ₹30,801.

5. The reduction in the number and value of State messages is due to the following causes:—

- (1) Greater brevity in the composition of messages both inland and foreign;
- (2) The increased use of the cheaper deferred messages;
- (3) The absence of any political excitement or military operations of any importance.

The despatch of a force to Egypt in 1882-83 abnormally swelled the cost of messages sent during that year, and accounts for a large proportion of the difference between the two years' figures. The average cost of an inland State message of all classes fell from ₹2·45 to ₹2·07 in the two years, and of Foreign messages—the Indian share only—from ₹8·7 to ₹7·5. The latter reduction is due to the adoption of an abbreviated Code recently prepared by this department, the use of which has led to a very perceptible economy in the costly foreign correspondence of the Government. A second edition of this book is now in the Press. It is therefore a matter for congratulation that the comparatively small loss suffered by the Telegraph Department is only an indication of the peaceful state of the country and of economies effected in other branches of the administration.

6. The Inland Tariff, with the exception of *Local* messages, continues to work well. *Urgent* private messages have not perceptibly increased: they constitute about 6½ per cent. of the traffic. *Ordinary* messages have declined 7½ per cent. or from 60·90 to 53·30 per cent., while *Deferred* private messages have gone up from 32·06 to 39·63. There has been a perceptible increase in this class since the change introduced on the 1st September 1883, under which delivery is effected on the arrival of the message instead of its being invariably detained till the following morning.

Local messages are not a success, a consequence of the extension of Telephonic communication. Only 11,177 valued at ₹4,694 were sent during the year, and it seems probable that their abolition would cause no public inconvenience.

Press messages have not exhibited any tendency to increase, their value for the past three years being practically stationary.

7. The miles of line and wire including cables increased respectively from 21,324 and 61,314 to 23,437 and 68,829. Of the latter, 24,519 miles of wire were maintained for the use of Railways, 104 miles of wire for Native States, and 857 miles of wire for Public and Private Lines.

During the year, 2,825 miles of new wire were put up for Railway use, and 405 miles of line and 612 miles of wire for connecting new branch Offices with the main system.

8. The number of Departmental Offices open at the close of the year, inclusive of 55* combined Post and Telegraph Offices, was 349 against 314 in 1882-83, and arrangements were nearly matured for opening a large additional number of the latter.

9. The Department also supplied with instruments, &c., and technically supervised and maintained 1,004 offices used by Railways, 195 by Public Departments, and 125 by private individuals and firms.

10. The total number of Telegraph Offices, including those belonging to licensed systems open throughout the Empire to the public for the receipt and despatch of messages at the close of the year, was 1,731.

11. In addition to the above, all Post Offices in the country, about 6,000 in number, were from the 1st December 1883 constituted "Receiving" offices for paid telegrams for despatch to the nearest Telegraph Office for onward transmission.

12. A general idea of the progress of the service will be obtained from the diagrams A and B annexed to this report.

						R
The average cost per message was	.	.	.	.	.	2'05
And the average receipts	.	.	.	.	.	2'25

The actual sums collected for each class of telegrams were as follows:—

		R
Inland	{ State	4,71,233
	{ Private	14,15,754
Foreign (Indian share)	{ State	37,124
	{ Private	12,95,957

REVENUE AND EXPENDITURE.

13. The total net capital expenditure of the Department during the year amounted to Rs24,51,539 made up as follows:—

Lines and Buildings	.	.	.	.	.	.	.	18,29,832
Tools and Plant	.	.	.	.	.	.	.	1,72,892
Workshop and Press	.	{	Buildings	.	.	.	.	9,880
	.	{	Machinery and Plant	.	.	.	.	6,041
	.	{	Materials	.	.	.	.	52,357
Store-houses	.	.	.	.	.	.	.	1,14,615
Stores	.	.	.	.	.	.	.	1,16,146
Charge for exchange on payments in England	.	.	.	.	.	.	.	1,66,790
Deduct Suspense Heads	.	.	.	.	.	.	.	17,014
								24,51,539

* 216 on 1st December 1884.

14. The following is an abstract Revenue Account for the year :—

RECEIPTS.		EXPENDITURE.	
	₹		₹
Message Revenue	32,11,370*	Repairs to lines	5,09,261
Receipts from State Railways for interest, &c.	5,62,539	Direction	1,59,480
Receipts from Guaranteed Railways	91,414	Accounts	45,660
Claims for Guaranteed and rented lines	1,50,730	Superintendence	6,88,476
Sales of books, &c.	17,532	Line maintenance	2,00,550
Miscellaneous, including Royalties from Telephone Companies	36,637	Check Office	46,319
News-free and other <i>pro formâ</i> Revenue	22,195	Signalling	19,29,512
		Minor undertakings	12,077
		Non-departmental Offices	99,253
		Telegraph Stamps	3,982
		Other items	21,760
		Surplus	3,75,087
TOTAL	40,91,417	TOTAL	40,91,417

15. The total receipts under Revenue for 1883-84 exceed those for 1882-83 by ₹72,791. This is attributable to increased receipts on account of Guarantees and Rents.

16. The *pro formâ* message revenue is slightly less than that of 1882-83, owing to fewer news-free messages having been despatched during 1883-84.

TRAFFIC.

17. The following summary shows the percentage of the number and value of messages disposed of during the year, under the main heads of Inland and Foreign: full details of the actual figures for each division, together with a corresponding return for the previous year, will be found in Appendix B:—

CLASS.	INLAND.		FOREIGN.		TOTAL.	
	No.	Value.	No.	Value.	No.	Value.
State	12'43	14'64	0'27	1'15	12'72	15'79
Private	67'71	43'36	19'59	40'25	87'30	84'21
TOTAL	80'14	58'60	19'86	41'40	100'00	100'00

18. In Appendix B is also given the increase or decrease for 1883-84 in each division of the Department, as compared with the result of the preceding year, the figures for the entire system being as follows :—

CLASS OF MESSAGES.	ACTUAL.																	
	INCREASE.						DECREASE.											
	Inland.			Foreign.			Net.		Inland.			Foreign.			Net.			
	No.	Amount.		No.	Amount.		No.	Amount.	No.	Amount.		No.	Amount.		No.	Amount.		
		R	a.		R	a.		R	a.		R	a.		R	a.			
State. . .	...	...	...	...	...	...	...	...	...	26,891	1,38,585	11	555	10,366	14	37,446	1,48,952	9
Private . .	46,703	29,124	6	7,078	64,288	3	53,781	93,412	9	...	...	...	...	...	...	...	...	...
	Net .						26,335	...	...	Net .						...	55,540	0

It will be observed that a satisfactory increase is exhibited in private traffic both Inland and Foreign, while State messages exhibit a considerable decline in number and value, the decrease under Inland and Foreign being proportionately almost identical. This falling off in the revenue derived from messages on the public service is due to the figures for the preceding year having been abnormally raised both as regards internal and external correspondence in connection with the despatch of troops from India to Egypt.

19. The actual increase and decrease under the different heads are reproduced below in the form of percentages of each respectively:—

CLASS OF MESSAGES.	PERCENTAGE.											
	INCREASE.						DECREASE.					
	Inland.		Foreign.		Net.		Inland.		Foreign.		Net.	
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.
State . . .	...	...	...	...	...	...	10'59	22'72	10'14	21'82	10'58	22'66
Private . . .	3'92	2'10	2'01	5'21	3'49	3'56	...	...	...	...	..	...
			Net		1'46	...			Net		..	1'69

Here it will be observed that, although the private Inland messages have increased 3'92 per cent. in number, the receipts for the same have only increased 2'1 per cent. This is due to a more extended use of the deferred system. The relatively greater fall in the value than in the number of State Inland messages is traceable to the same cause.

20. The total number and value of paid messages, as compared with last year, is given below:—

YEAR.	STATE.		PRIVATE.		TOTAL.	
	No.	Value.	No.	Value.	No.	Value.
		₹ a.		₹ a.		₹ a.
1882-83 . . .	259,204	6,57,309 11	1,539,975	26,18,298 9	1,799,179	32,75,608 4
1883-84 . . .	231,758	5,08,357 2	1,593,756	27,11,711 2	1,825,514	32,20,068 4

Inland Traffic.

21. The number and value, actual and proportionate, of Inland messages under the sub-heads of Urgent, Ordinary, Deferred, and Local, for the whole year under review were as follows:—

YEAR.	CLASS.	URGENT.		ORDINARY.		DEFERRED.		LOCAL.		TOTAL.		Average cost per message.
		No.	Value.	No.	Value.	No.	Value.	No.	Value.	No.	Value.	
			₹		₹		₹		₹		₹	
1883-84	State .	60,277	2,47,462	32,852	36,243	130,402	1,85,671	3,309	1,898	226,840	4,71,274	2'07
	Private .	78,679	2,08,327	653,501	8,28,565	485,874	3,43,525	7,868	2,796	1,225,922	13,83,214	1'72
	Press .	750	8,724	5,098	18,353	4,370	10,014	...	...	10,218	37,291	3'65
	TOTAL .	139,706	4,64,513	691,451	8,83,361	620,646	5,39,210	11,177	4,694	1,462,980	18,91,779	6'84
Percentage of Traffic	State .	26'59	52'51	14'46	7'69	57'49	39'40	1'46	0'40	100'00	100'00	...
	Private .	6'42	15'07	53'30	59'89	39'63	24'84	'65	'80	100'00	100'00	...
	Press .	7'34	23'39	49'90	49'76	42'76	26'85	...	...	100'00	100'00	...
	TOTAL .	9'54	24'55	47'33	46'70	42'42	28'50	'77	'25	100'00	100'00	...

22. The variation from year to year, since the introduction in 1882 of the present tariffs, of the numerical proportions of Urgent, Ordinary, Deferred, and Local messages is shewn below :—

					<i>State.</i>		
					1881-82. (3 months.)	1882-83.	1883-84.
Local	.	.	.	.	0'65	1'04	1'46
Deferred	.	.	.	.	62'70	56'06	57'49
Ordinary	.	.	.	.	7'12	11'10	14'46
Urgent	.	.	.	.	29'53	31'80	26'59
					100'00	100'00	100'00

					<i>Private.</i>		
Local	.	.	.	.	0'43	0'64	0'65
Deferred	.	.	.	.	22'03	32'06	39'63
Ordinary	.	.	.	.	72'64	60'90	53'30
Urgent	.	.	.	.	4'90	6'40	6'42
					100'00	100'00	100'00

					<i>Press.</i>		
Local	.	.	.	.	} Details not available {	...	
Deferred	.	.	.	.		42'76	
Ordinary	.	.	.	.		49'90	
Urgent	.	.	.	.		7'34	
						100'00	

23. No change was made in the rates for Inland Telegrams during 1883-84.

24. The growth of Inland traffic since the year 1872-73 is shewn in the following statement. It will be seen that State messages vary from year to year according to the greater or less amount of correspondence in respect of political or military operations; and that private messages have more than doubled in number during the same period, and that, notwithstanding the reductions in tariff, the value of private messages has increased nearly 50 per cent. :—

YEAR.	STATE.				PRIVATE.				TOTAL PAID MESSAGES.									
	Number.	Value.	PERCENTAGE OF <i>number</i> COMPARED WITH PREVIOUS YEAR.		Number.	Value.	PERCENTAGE OF <i>number</i> COMPARED WITH PREVIOUS YEAR.		Number.	Value.	PERCENTAGE OF <i>number</i> COMPARED WITH PREVIOUS YEAR.							
			Increase.	Decrease.			Increase.	Decrease.			Increase.	Decrease.						
													Increase.	Decrease.	Increase.	Decrease.		
	PERCENTAGE OF <i>value</i> COMPARED WITH PREVIOUS YEAR.	PERCENTAGE OF <i>value</i> COMPARED WITH PREVIOUS YEAR.	PERCENTAGE OF <i>value</i> COMPARED WITH PREVIOUS YEAR.	PERCENTAGE OF <i>value</i> COMPARED WITH PREVIOUS YEAR.														
1872-73	57,448	1,91,213	9'39	...	3'47	548,846	9,96,150	4'93	...	7'96	...	606,294	11,87,363	5'35	...	5'91	...	
1873-74	65,339	2,13,093	13'73	...	11'44	592,243	10,18,210	7'90	...	2'21	...	657,582	12,31,303	8'45	...	3'70	...	
1874-75	77,226	2,57,315	18'19	...	20'75	653,522	10,73,835	11'19	...	5'46	...	735,748	13,31,150	11'89	...	8'10	...	
1875-76	89,111	2,73,183	15'38	...	6'16	707,136	11,17,213	7'38	...	4'03	...	796,247	13,90,396	8'23	...	4'46	...	
1876-77	99,003	3,21,472	11'10	...	17'68	874,348	13,61,173	23'64	...	21'84	...	973,351	16,82,645	22'25	...	21'02	...	
1877-78	123,834	4,48,206	25'08	...	39'42	1,046,120	15,85,891	19'64	...	16'51	...	1,169,954	20,34,097	20'20	...	20'89	...	
1878-79	209,544	7,44,177	69'21	...	66'03	694,307	14,34,297	...	7'82	...	9'55	...	1,173,851	21,78,474	0'33	...	7'10	...
1879-80	290,622	11,86,635	38'69	...	59'45	1,037,330	15,32,853	7'57	...	6'87	...	1,327,952	27,19,488	15'13	...	24'84	...	
1880-81	314,370	12,98,222	8'64	...	9'59	1,044,107	14,08,582	4'82	...	...	3'64	1,358,477	27,06,804	5'69	...	2'32	...
1881-82	245,836	6,98,480	...	21'62	...	1,035,137	13,16,851	0'23	5'39	1,289,973	20,15,331	...	4'86	...	25'07	...
1882-83	253,731	6,09,818	3'21	...	12'69	1,189,437	13,86,630	14'90	...	5'30	...	1,443,168	19,96,448	12'66	0'93	...
1883-84	226,840	4,71,232	...	10'60	...	1,236,140	14,15,754	3'92	...	2'10	...	1,462,980	18,86,986	1'37	5'48	...

Foreign Tariffs, &c.

25. During the year 1883-84, the following were the principal events affecting the international system of telegraphs.

During May, 1883, a third cable was laid by the Eastern Telegraph Company between Suez and Aden, and the land lines of the Egyptian Government between Berber and Souakim having been interrupted since 2nd September 1883; in order to facilitate communications with Souakim in January 1884, the Company cut one of its three cables between Aden and Suez, and landed the ends at Souakim, at which place it has established a station.

The system of land lines in China has been extended during the year, and the following additional offices have been opened for international correspondence :—

Ningpo.	Kinning.
Lanchow.	Fatschan.
Puching.	Azouchow.

The Eastern Extension Telegraph Company divided its cable between Hongkong and Shanghai into two sections, and opened in June 1883 an intermediate office at Foochow.

In July, 1883, a second cable laid by the Great Northern Company between Vladivostock in Asiatic Russia, and Nagasaki in Japan, was opened for traffic, and in the same month the Kingdom of Siam was connected through Cochin China with the system of international lines, and offices opened for foreign messages at Bangkok and Batambang. This was followed in March 1884 by the opening of telegraphic communication between India and Siam, *via* Tavoy, but the difficulty in maintaining communication almost immediately necessitated the closing of the line until it can be rendered more secure during next working season.

Tonquin has also during the year been brought into connection with the international system by means of a cable laid by the French Government in February 1884, from Cape St. James in Cochin China to Haiphang in Tonquin.

The cable of the Eastern Extension Company between Madras and Penang was interrupted from 6th June to 9th July, 15th to 24th November 1883, and 15th to 24th February 1884, during which periods the alternative route from Penang, *via* Elephant Point, Rangoon, Akyab, and Calcutta, had to be availed of.

Other interruptions during the year of important cables more or less affecting India have been—

Cable between Zanzibar and Mozambique, interrupted 6th March 1883 to 24th April, 25th June to 11th July.

Cable between Hongkong and Amoy, interrupted 7th to 16th August 1883.

Cable between Shanghai and Foochow, interrupted 7th to 21st August, 22nd August to 4th September, and 9th and 10th November 1883.

Cable between Shanghai to Nagasaki, interrupted 6th to 8th September, and 14th to 17th September 1883.

Cable between Amoy and Shanghai, interrupted 3rd to 19th September 1883.

Cable in the Persian Gulf, interrupted from 8th to 20th November 1883.

Foreign Traffic.

26. The steady increase, both in number and value, of Foreign message

from year to year since 1873-74, is shewn below. Notwithstanding the decrease in State messages, the gross totals show an increase for the year under review :—

YEAR.	PERCENTAGE OF INCREASE, COMPARED WITH OTHER YEARS.	
	No.	Value.
1873-74 . .	12·72	7·33
1874-75 . .	15·75	6·24
1875-76 . .	8·87	8·21
1876-77 . .	22·44	5·34
1877-78 . .	38·14	27·28
1878-79 . .	5·28	0·42
1879-80 . .	18·56	16·82
1880-81 . .	29·52	17·47
1881-82 . .	12·14	1·62
1882-83 . .	7·10	6·98
1883-84 . .	1·83	4·21

27. Appendix C shows the percentage of the number of messages between India and places to the westward by each route since 1871-72. The comparative results for the last four years are as follows :—

Routes.	1880-81.	1881-82.	1882-83.	1883-84.
<i>Via</i> Suez	74·44	66·91	50·79	56·88
„ Teheran	23·52	31·62	47·20	41·44
„ Turkey	2·04	1·47	2·01	1·68
TOTAL	100·00	100·00	100·00	100·00

The increase *via* Suez, and corresponding decrease *via* Teheran, as compared with 1882-83, are due to the fact that the former route was interrupted for about $2\frac{1}{2}$ months of the latter year.

28. Particulars of Foreign traffic, corresponding to those for Inland traffic as given in paragraph 24, are detailed in the following abstract. As has already

been explained in paragraph 5, the decrease in State messages is due to an abnormal rise in the preceding year. A satisfactory increase is observable under private messages :—

YEAR.	STATE.				PRIVATE.				TOTAL.						
	Number.	Indian share of charge.	PERCENTAGE OF NUMBER COMPARED WITH PREVIOUS YEAR.		Number.	Indian share of charge.	PERCENTAGE OF NUMBER COMPARED WITH PREVIOUS YEAR.		Number.	Indian share of charge.	PERCENTAGE OF NUMBER COMPARED WITH PREVIOUS YEAR.				
			Increase.	Decrease.			Increase.	Decrease.			Increase.	Decrease.			
1872-73 . . .	1,211	12,196	...	32'46	76,883	5,03,919	...	0'9	78,094	5,16,115	...	1'65	...	13'22	...
1873-74 . . .	1,203	11,251	...	0'66	86,683	5,40,877	12'72	...	7'33	88,886	5,52,128	12'54	...	6'97	...
1874-75 . . .	1,305	11,053	8'47	...	100,338	5,74,675	15'75	...	6'24	101,643	5,85,728	15'65	...	6'09	...
1875-76 . . .	1,875	17,076	43'67	...	109,247	6,21,876	8'87	...	8'21	111,122	6,38,952	9'32	...	9'09	...
1876-77 . . .	1,914	28,867	2'08	...	133,771	6,55,074	22'44	...	5'34	135,685	6,83,941	22'10	...	7'05	...
1877-78 . . .	2,259	35,827	18'02	...	184,801	8,33,778	38'14	...	27'28	187,060	8,69,605	37'86	...	27'14	...
1878-79 . . .	3,307	43,568	21'60	...	194,563	8,37,345	0'42	...	5'28	197,870	8,80,913	5'78	...	1'03	...
1879-80 . . .	3,272	49,232	...	1'05	231,287	9,79,809	18'87	...	17'01	234,559	10,20,041	18'56	...	16'82	...
1880-81 . . .	4,334	59,807	34'42	...	293,419	11,22,629	29'45	...	17'20	297,753	11,82,436	29'52	...	17'47	...
1881-82 . . .	4,270	40,237	...	0'95	328,132	11,55,432	12'33	...	3'44	332,402	11,95,669	12'14	...	1'62	...
1882-83 . . .	5,473	47,491	28'18	...	350,538	12,31,669	6'82	...	6'59	356,011	12,79,160	7'10	...	6'98	...
1883-84 . . .	4,918	37,124	...	10'15	357,616	12,95,957	2'01	...	5'21	362,563	13,33,081	1'83	...	4'21	...

29. Diagrams A and B give the number and value respectively of Inland and Foreign paid messages, from year to year, as far back as the record is available.

30. Appendix D is a classified abstract of Signal Offices, arranged in order proportionate to the amount of traffic originating at each, for the past ten years.

31. Appendix E shows the number of Signal Offices in each Division open at the end of 1882-83. The following stations were opened and closed during the year :—

Opened.	Date.	Closed.	Date.
Jalapahar	4th April 1883.	Hoshungabad	2nd April 1883.
Bhopal	12th "	Pipima	14th "
Kotagiri	13th "	Prince's Dock (Bombay)	23rd "
Nazira	9th May 1883.	Rupar	26th "
Bogra	20th "	Kach	1st June 1883.
Chittoor	1st June 1883.	Danaurie	16th "
Malapuram	14th "	Poozoondoung (Rangoon)	2nd July 1883.
Thal Chotiali	18th July 1883.	Dinewoonquin (Moulmein)	3rd "
Ellore	23rd August 1883.	Moopoon (do.)	3rd "
Saharunpore	31st "	Gulistan Karez	22nd August 1883.
Gadurwara	20th September 1883.	Kushdil	22nd "
Pisheen	28th "	Chetput (Madras)	3rd December 1883.
Sutna	29th October 1883.	Adyar (")	10th "
Rewah	3rd November 1883.	St. Thome (")	10th "
Nichuguard	1st December 1883.	Pegu	27th February 1884.
Sasseram	7th "		
Mylapore (Madras)	10th "		
Verarajendrapet	23rd January 1884.		
Nagpur City	14th February 1884.		
Cuddapah	16th "		
Myitta	17th "		
Ponsekai	20th "		
Ammatti	21st "		
Ranikhet (Cantonment)	23rd "		
Tirupati	26th "		
Meerut City	3rd March 1884.		
Budaun	10th "		
Shalkia (Calcutta)	10th "		
Muzaffarnagar	11th "		
Poonamallee	11th "		
Palitana	15th "		
Salem	15th "		
Nanpura (Surat)	17th "		
Saifganj	20th "		
Bassein (Bombay)	21st "		
Nagore	21st "		
Randere (Surat)	21st "		
Kaira	22nd "		
Tranquebar	24th "		
Badagara	25th "		
Mahé	25th "		
Arcot	25th "		
Walajanagar	25th "		
Hissar	29th "		
Bhiwani	30th "		
Rohtak	30th "		
Amya	31st "		
Haripur	31st "		
Multan City	31st "		
Wariur (Trichinopoly)	31st "		

Number of permanent offices open on 31st March 1883	314
Deduct—Number of offices closed during 1883-84	15
Add—Number of offices opened during 1883-84	50
	35

Number of permanent offices open on 31st March 1884	349
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32. The following Departmental Signal Offices were worked by non-departmental agency at the close of the year :—

Worked by Post Masters (55 offices).

Agra City, Belanganj.	Bassein (Bombay).	Dehra Dun.
Allahabad City.	Bhiwani.	Dinagepore.
Ammatti.	Budaun.	False Point.
Arcot.	Chiplun.	Haripur.
Badagara.	Cuddapah.	Hazaribagh.

Worked by Post Masters (55 offices)—continued.

Hissar.	Nanpura (Surat).	Salem.
Hoti Mardan.	Nasik.	Shalkia (Calcutta).
Kaira.	Nichuguard.	St. Thomas' Mount
Kalka.	Pachmarhi.	(Madras).
Kotagiri.	Palitana.	Sutna.
Kurnool.	Poonamallee.	Tirupati.
Mahé.	Purneah.	Tranquebar.
Matheran.	Rajapur.	Triplicane (Madras).
Meerut City.	Rajkot.	Vepery (,,)
Multan City.	Randere (Surat).	Verarajendrapett (,,)
Muzaffarnagar.	Ratnagiri.	Vizianagram.
Mylapore (Madras).	Rewah.	Walajanagar.
Nagore.	Rohtak.	Wariur (Trichinopoly).
Nagpur City.	Saidapett (Madras).	

At the following stations postal work was done by Telegraph Masters in addition to their duties:—

Myanoung.	Dhunsiri Mukh.
Meesa.	Dimapore.
Kaliabar.	Kelat.
Diamond Island.	

Worked by Clerks in Deputy Commissioners' or Magistrates' offices (5 offices).

Bolaram.	Ngathinggyoung.
Dhulia.	Seoni.
Thaton.	

Worked by Light-house-keeper (1 office).

False Point Light-house.

Worked by Military Signallers (41 offices).

Ahmedabad Camp.	Dum-Dum Cantonment.	Malapuram.
Allahabad Cantonment.	Fort St. George, Madras.	Mian Mir.
„ Fort.	Fort William, Calcutta.	Moradabad.
Almorah.	Gandakinduff.	Naini Tal Cantonment.
Attock.	Gwalior.	Naushara.
Bellary Cantonment.	Jalapahar, Darjeeling.	Pisheen.
Bukloh.	Jullunder.	Ranikhet.
Chakrata.	Jumrood.	Saugor.
Colaba, Bombay.	Jutogh.	Sharigh.
Dagshai.	Kach.	Sitapur.
Dalhousie.	Kamptee.	Solon.
Dharamsala.	Kirkee.	Subathu.
Dilkusha.	Kurrachee Cantonment.	Thal Chotiali.
Dinapur.	Mach.	

Abstract.

Worked by Post Masters	.	.	.	.	.	.	55
„ „ Clerks	.	.	.	.	.	.	5
„ „ Light-house-keeper	.	.	.	.	.	.	1
„ „ Soldiers	.	.	.	.	.	.	41
Total worked by non-Departmental Agency	.	.	.	.	.	.	102
„ „ „ Departmental Agency	.	.	.	.	.	.	247
TOTAL	.	.	.	.	.	.	349

Complaints.

33. Appendix F contains details of all complaints received from the public during the year, those chargeable to this Department being separately shown from those in which other administrations were in fault.

Out of a gross number of 802 complaints made, 535 were admitted, and 267 proved groundless. The gross number of complaints received, including those rejected, was 0·40 per 1,000 messages, as against 0·32 during the preceding year. As explained in previous reports, an enhanced number of complaints by no means necessarily indicates diminished efficiency in the service. It is more probably traceable to the fact that the public and especially native senders find their complaints so promptly dealt with that they yearly become more and more exacting.

34. Of messages jointly transmitted by the lines of this Department and of other telegraph administrations, the complaints, an investigation of which showed this department not to be in fault, were 446 in number, of which 214 were admitted and 137 rejected, while the remaining 95 were either still under investigation at the close of the year, or barred from further enquiry by the International rules.

Speed of Transmission.

35. The average time occupied in the disposal of traffic on the principal routes for the past five years has been as under: on the Rangoon-Calcutta route the average speed of transmission has been lowered by the heavy traffic diverted to this line during the interruptions which occurred on the Madras-Penang cable. On all the other lines an improvement is shown:—

	1879-80.		1880-81.		1881-82.		1882-83.		1883-84.	
	H.	M.	H.	M.	H.	M.	H.	M.	H.	M.
Calcutta to Kurrachee .	1	10	1	22	0	55	1	24	1	2
Kurrachee to Calcutta .	0	45	0	59	0	41	1	3	0	36
Calcutta to Bombay .	1	13	1	6	1	1	1	21	1	6
Bombay to Calcutta .	1	4	1	1	1	3	1	0	1	10
Calcutta to Madras .	1	27	1	14	1	9	1	16	1	7
Madras to Calcutta .	1	27	1	15	1	13	1	18	1	4
Madras to Bombay .	0	48	0	49	0	45	1	0	0	40
Bombay to Madras .	0	40	0	45	0	44	1	0	0	38
Bombay to Kurrachee .	0	43	0	53	0	45	1	6	0	35
Kurrachee to Bombay .	0	37	0	48	0	40	0	51	0	30
Rangoon to Calcutta .	3	15	2	9	1	23	1	27	2	50

News-free Messages.

36. The number of news-free messages, such as Mail Steamer reports, as compared with the corresponding figures for the preceding year, have been as follows:—

	No.
1882-83	895
1883-84	784

Traffic with Licensed Telegraphs.

37. Since the 1st January 1883, the adjustment of the shares of this Department and of Licensed Telegraphs, in respect of messages exchanged between the two systems, has been discontinued, and each administration now retains its own collections. The number of messages transferred between

the Government and Licensed systems for the last two years has been as follows:—

1882-83	.	.	.	.	.	.	.	.	.	230,396
1883-84	.	.	.	.	.	.	.	.	.	284,575

The figures given in Appendix G show that the traffic exchanged with Railway Telegraphs has increased seven-fold since 1873-74.

Press Messages.

38. Details of the number and value of the Press messages sent during each month of the year will be found in Appendix H. This class of traffic has not, so far, shown any signs of development. The tendency to decreased value per message appears to be due to the enhanced use of the deferred system:—

	No.	Value. R
1881-82	7,941	40,975
1882-83	10,832	40,553
1883-84	10,750	39,593

Undelivered Messages.

39. The number of messages which could not be delivered to the addressees and the causes which prevented delivery, together with the corresponding figures for last year, are given below. Although the number of cases in which delivery could not be effected is higher, the percentage of non-delivery is rather lower, and in almost all the cases the cause was beyond the control of this Department.

CAUSE OF NON-DELIVERY.	1882-83.		1883-84.	
	No.	Percentage.	No.	Percentage.
1. Not found; address insufficient	1,489	071	1,557	072
2. Not found at address given	1,737	084	2,235	104
3. Address changed in transmission	64	003	54	002
4. Left station; new address not known	400	019	417	020
5. Left India	135	006	129	006
6. Left for original station	1,123	054	1,177	058
7. Returned by Dead Letter Office	1,011	048	1,342	062
8. Addressee, or address given unknown	133	006	222	010
9. Refused	142	007	122	002
10. Other reasons	286	014	283	014
TOTAL	6,520	0312	7,538	0350

Interruptions to Traffic caused by Faults on Lines.

40. The faults on Departmental lines which caused any material delay to message traffic numbered 222, aggregated 2,036 hours, and the average duration of each was 8·7 hours.

A special reference to the causes of such faults to which Indian Lines are peculiarly liable, and a statement of the interruptions on lines due to extraordinary causes during the year under review will be found further on under the head of "Lines."

Signalling Establishment.

41. At the close of the year there were 1,134 Departmental Telegraph Masters and signallers and 169 Military signallers on the strength of the establishment: in addition 5 clerks in civil offices, 55 postal clerks and 1 Light-house keeper were employed in conducting Telegraph duties at the stations indicated in paragraph 32. The number of soldiers trained in telegraphy during the year was 90, and 99 more were under instruction at the close of the year.

Pensioned	2
Struck off strength of Department	5
Dismissed	12
Resigned	8
Died	12
Transferred to other Departments	2
TOTAL	41

42. The number of casualties among the Departmental signalling staff during the year has been 41, a percentage of 3·61, due to the causes marginally noted.

Voluntary Examination of Signallers.

43. A general examination was held during the months of October and November 1883, for testing the qualifications of candidates for promotion. The following were the subjects of examination :—

I. Handwriting and Signalling	300
II. Knowledge of Instruments and Connections	200
III. Knowledge of Traffic and Tariff Rules	150
IV. Education, <i>vis.</i> :—	
<i>Electricity and Magnetism, Arithmetic and Logarithms,</i>	} 200
<i>Algebra and Trigonometry, Geography.</i>	

In addition to the above, 100 marks were awarded as a maximum for conduct, and 50 marks for special service.

The maximum marks obtainable aggregated 1,000, from which deductions were made on account of registered punishments. It was a primary condition that a candidate should attain the standard departmental rate in signalling of 20 words net per minute before he could be examined in the other subjects, and 277 out of about 500 candidates qualified for further examination in accordance with the above rule. Of these 277, 20 signallers who were in the "Good" were promoted to the "Superior" grade to fill existing vacancies, and 17 in the "Average" who qualified for the "Superior" were forthwith promoted to the "Good" grade, and declared to be eligible for promotion to the "Superior" as vacancies might occur; 107 Telegraph Masters and signallers in the "Average" grade were promoted to the "Good" grade, and 45 succeeded in gaining sufficient marks to qualify for the "Good" grade and were declared eligible for promotion to that grade on vacancies occurring.

There were therefore—

20 actual promotions to the Superior grade.

124 actual promotions to the Good grade.

Of these, 17 in the "Good" grade are eligible for promotion to the "Superior," and 45 in the "Average" grade are eligible for the "Good" grade.

The answers were, as a rule, fair, and showed the attainments of the signalling staff to be satisfactory.

EXTENSIONS OF LINES AND WIRES AND LINE MAINTENANCE.

44. In Appendix I will be found a classified Return of the mileage of lines and wires maintained by the Telegraph Department on the 31st March 1884.

45. The following are the total mileages of line, wire, and cable contrasted with those existing on the same date in 1883 :—

	Line.	Wire.	Cable.
1882-83	21,924	63,182	130
1883-84	23,341	68,694	135
Difference added during 1883-84	1,417	5,512	5

This difference is distributed as follows :—

Added during 1883-84—	Line.	Wire.	Cable.
For Railway use	731	2,825	2
For New Branch offices . .	405	612	...
For Departmental use . . .	281	2,075	3
Total additions	1,417	5,512	5

46. The following shows the distribution of the total length of wire maintained :—

For Departmental use	43,163
For Railway use	24,512
For Native States	104
For other Departments	61
For Public and Private Lines	854

There are besides 135 miles of cable, of which 125 miles are in Departmental use, 7 miles in Railway use, and 3 miles rented to a private firm.

47. Appendix J gives the particulars of lines maintained for Railway purposes by the Telegraph Department.

48. The total cost of repairs to lines in 1883-84 was Rs. 5,09,261, against Rs. 2,27,592 in 1882-83. The primary cause of this excess, as stated in paragraph 1, being due to extensive renewals of posts.

49. In the section of this Report relating to Traffic, particulars of the principal interruptions which caused any delay to traffic are given. Appendix K is a statement of all interruptions of every kind that occurred on Departmental wires during the year.

50. Regarding these interruptions, it is desirable to note some of the special causes for them to which lines in India are particularly liable. The hot moist climate of many parts of India is peculiarly favourable to rust, whilst in other parts of the country white ants and dry rot do their share of mischief. The long spans (many of over half a mile of from post to post) render the mountain lines difficult to keep unbroken during snow. Many miles of line run through forests, where the annual fires bring down trees on the lines, and, when the posts are of timber, burn them also. Fires in villages are another cause of damage. Birds, again, are the cause of numerous faults on the lines; they build nests on the brackets; they constantly drop waste pieces of fencing and telegraph wires across the wires, and indeed specimens have been brought in of nests made of odds and ends of wire, whilst dead snakes and offal of all sorts are constantly dropped by them.

An unusual and extraordinary source of interruption is the destruction of Telegraph lines by elephants. Three interruptions were due to this cause during 1883-84. They were as follows :—In November 1883 the line between Gudalor and Tippakadu, in the Madras Division, was pulled down by elephants, and in May 1883, on two occasions, considerable mischief was done to the telegraph on the Shwegyin-Pegu section by these animals, necessitating extensive repairs.

51. The following Table gives the number of interruptions due to extraordinary causes during the year :—

Fires.	CAUSED BY BIRDS.		Lightning.	Wild elephants.	Trees falling on lines.
	Fencing wire.	Offal.			
11	44	10	23	3	173

52. The following is a review of the most important interruptions which have occurred on the Departmental lines during the year :—

Assam Division.—The chief interruptions were during the months of April and May, and were all due to the severe storms prevalent during these months in this part of the country.

Bellary Division.—Nearly all the interruptions in this division were on the Hubli-Karwar section, where the line passes through dense jungle. During the monsoon months trees are constantly being blown down, and falling on the line cause much damage.

British Burmah.—The interruptions in this division are usually on the line between Moulmein and Tavoy, and are due to the difficult nature of the country through which it passes, as well as the climate, the line being exposed to gales of no ordinary severity and an excessive rainfall.

There were three interruptions due to trees falling and two to fires.

On the 26th April the cable across the river at Elephant Point failed and continued interrupted until the 6th June, when the laying of the new cable was completed and communication restored.

Beluchistan Sub-Division.—The interruptions in this remote sub-division are invariably caused by gangs of marauders who cut the line and steal the wire. Scarcely a month passes without a report being received of this nature. In October 170 yds of wire were stolen from the line in one raid.

Punjab Division.—The severe storm which passed over the North-West of India in June 1883, seriously damaged the lines between Roorkee and Meerut, necessitating special repairs somewhat extensive in character to put the damaged portion of the line in order again.

Ganjam Division.—In this division the chief difficulty to be contended with is the mischief caused by floods and the impassibility of the large rivers which the line crosses. There were no less than four interruptions which are attributable to this cause, their duration being prolonged owing to the difficulty of crossing the rivers when in flood. The interruptions due to the flooding of the Byree river alone aggregated 306 hours.

Dacca Division.—Here, as in the Ganjam Division, interruptions are chiefly due to floods and the erosion of river banks. The span at Dingraghat, across the Mahanuddy, was carried away by the river suddenly rising and cutting away its banks and the masts supporting the line. This occurred in August 1883.

Bombay Division.—During May, June, July, and August several interruptions occurred owing to the flooding of the Taptee at Surat.

Nagpore Division.—Serious damage was done to the telegraph in July 1883, owing to the flooding of the River Sheonallee near Rajnandgaon.

Sind Division.—Considerable damage was caused by the country being flooded for 80 miles in July 1883.

53. In Appendix L will be found a statement of all the interruptions that have occurred on Licensed Telegraph Lines during the year.

Indo-Burmese Land Lines.

54. Some inconvenience was caused to the public during the year by imperfect communication between India and Burma. The land lines connecting Calcutta with Burma are exposed to the influence of violent storms and suffered considerably on more than one occasion; and unfortunately the same influences

appear to have affected the cable between Madras and Penang, which provides an alternative route, for more than once both were simultaneously interrupted. The importance of this route is fully recognized, every effort continues to be made to improve and strengthen the lines, a large expenditure has been incurred, and it is confidently hoped that the liability to accidents has been reduced to a minimum.

Indo-Ceylon Cable.

55. The cable connecting Ceylon with India failed in October 1883 and again in March 1884, and, although temporarily repaired, its condition was found, on careful examination, to be so precarious that the necessity for laying a new one had to be faced. The needful steps in this direction have since been taken.

The present cable was laid in 1867, replacing one that had been laid in 1858, so that it has had nearly twice as long a life as the latter; and there seems reasonable ground to hope that, after a new cable has been laid, it may be found possible so to repair the present one as to make it a fairly reliable alternative. Repairs so extensive, if even ultimately successful, would stop all communication for a considerable period, and their execution has therefore been postponed until after the successful laying of a new one.

Tavoy-Siam Line.

56. Notwithstanding strenuous exertions, it was not found possible to maintain communication by this line. A trial line was completed and messages exchanged with Bangkok, but the physical and climatic difficulties were so great that it was found impracticable to continue, and the permanent opening of this very important route has had to be postponed.

Arrangements have been made for simultaneously pushing on with the construction of a bridle path through the forest, and for entirely re-constructing the Telegraph line with stronger materials during the cold season of 1884-85; picked officers and a large force of men have been provided, and, in spite of difficulties, which are altogether exceptional, the early final establishment of this new link in the international system is looked forward to with some confidence.

ELECTRICAL.

57. There has been much activity in this branch.

Experiments of all kinds have been vigorously prosecuted and numerous improvements in apparatus accomplished. The progress made in England and other countries is carefully watched, and recent inventions in electrical instruments, which seemed to promise good results, have been obtained and subjected to experiment and scientific test by the Electrician.

In a prolonged tour the Director-General was able to satisfy himself personally of the general excellence of all electrical arrangements in offices.

STORES AND WORKSHOPS.

58. The following are the items of expenditure under this head during the year :—

	R
Purchase of stores in India	1,74,943
London stores, including freight and landing charges	11,08,950
Workshops and Press	2,95,162
Store-keeping	98,955
Superintendence	28,738
Stationery received and Printing work done without charge	45,829
TOTAL	17,52,577

The value of the outturn from the Workshops was **Rs 4,95,651**, and from the Press **Rs 1,235**, against **Rs 4,77,343** and **Rs 37,532** of the previous year.

59. The use of locally-manufactured stores has been extended.

Window shackles for terminating wires at offices are now being manufactured for this Department by Messrs. Burn and Company. Castings made in Bombay have been used, and have given so much satisfaction that further orders for them have been given to local firms. Endeavours were made, and are being continued, to obtain suitable castings from the Barrackur Iron Works.

The manufacture of wrought-iron tubes and cast-iron sockets for telegraph posts was increased, and is being carried on, on a still larger scale in the Departmental Workshops at Calcutta.

The porous pots manufactured in this country are not a success. The fact is that a peculiar quality of pottery is required for battery purposes, the process of producing which is at present known only to one firm in England, and is a well kept secret.

60. The substitution of old rails for standards has been continued with success.

61. A large collection of electrical apparatus peculiar to this Department and manufactured in the Departmental Workshops, was shown in the International Exhibition which was held in Calcutta in the winter of 1883-84.

The exhibit was very creditable and resulted in the following awards:—

I.—First class certificate and Silver medal for carpentry and joinery.

II.—Second class certificate and Bronze medal for wire twisting and paper punching machines.

III.—Certificate and Gold medal for Telegraph instruments and apparatus.

LICENSED SYSTEMS.

62. Some mention of the working of the rules for licensed Telegraph systems seems called for, as the first complete year of their application terminated towards the close of the official year.

63. Under the licensed systems are included all Railway Telegraph lines and systems outside the Imperial Telegraph Department, which are permitted to receive and carry messages for the public on payment.

64. In England, as in other countries, where the Telegraphs are the property of the State, the monopoly of despatching messages on payment is strictly enforced; and although Railway Companies in Great Britain are permitted to despatch such messages, they do so merely as agents for the Telegraph Department of the State, and retain only a portion of the fees, even when the transmission is completed within the limits of their own Railways.

65. The rules* in force in India from 1874 to the 1st January 1883 permitted Railway administrations to retain the whole of the fees collected for local messages, namely, for such as were received at and delivered from offices of the same Railway; but messages traversing greater distances were, in the interests of the public, required to be transmitted the greatest possible distance by the State lines; and although in practice such messages travelled on an average nine-tenths of the distance on the lines of the Department, the latter was only credited with three-fourths of the fees collected for such messages.

66. Liberal as these conditions were, the Government decided in 1882 to offer still further inducements to licensed administrations to provide facilities for

* These rules were only partially applicable to certain Railway Companies.

the public and published a resolution, of which the following is an extract, conceding to each licensed system the privilege of retaining the whole of the collections made for Inland messages, irrespective of its extent or its share of the work done :—

Extract from Public Works Department Resolution Nos. 203-35A.T., dated 2nd May 1882.

"The Governor General in Council * * * is * desirous, in the interests of the senders of telegrams, that Railways should be encouraged to carry public telegraphic messages to as great an extent as is compatible with the proper use of their telegraphs for the primary purpose of Railway Traffic."

* * * * *

"With this object, and also to simplify account-keeping, to ensure uniformity of procedure, and to develop telegraphic communication, it is resolved—

"I.—To extend to canal telegraphs also the privilege of carrying telegraphic messages for the general public ;

"II.—That in future every railway or canal, or other duly licensed telegraph office, at which a message may be tendered for despatch, shall retain the value of the message it sends, excepting such amounts as have to be again disbursed under the rules ; for instance, for reply paid, post registered messages, &c. ;

"III.—That there shall be but one public telegraph message system throughout India, applicable to railway, canal, or any other telegraphic system licensed to carry messages for the public ; and

"IV.—To provide for economical maintenance the principle enunciated in Resolution, Public Works Department, Nos. 125-28T of the 4th March 1871, that the maintenance of Government and Railway Telegraphs should be combined and vested in the Telegraph Department whenever practicable, is re-affirmed, and is now extended to canal telegraphs."

67. It is obvious that the effect of this concession must have been a diminution in the cash receipts of the Telegraph Department, but it should also be known that, besides giving up its fair share of receipts in order to encourage "licensed systems to carry public telegraph messages", the Government also pays the whole cost of the Telegraph Department Check Office, which is really the Telegraph Clearing House for the whole of India. It also bears the whole cost of publishing and distributing the tariffs and regulations for the public, as well as the various orders on which the interchange of traffic of the many systems depends.

68. The Government share of the value of transferred messages that would have accrued to the end of the official year had it not been for this concession was Rs. 1,16,515 ; but it is hoped that the anticipations expressed in 1882 "that any loss thereof will be more than compensated for by the effect of the additional facilities thus given to the public" may ere long be completely fulfilled.

UTILISATION OF POSTAL AGENCY IN THE OPERATIONS OF THE TELEGRAPH DEPARTMENT.

69. The question of the expediency of amalgamating the Telegraph and Postal Departments in this country has more than once been raised during recent years and has received very careful consideration ; but notwithstanding the advantages which such an amalgamation seemed to offer, difficulties peculiar to this country and objections of so grave a character presented themselves that it was never found practicable to take any steps in the direction of amalgamation.

70. The main advantages expected from an amalgamation of this kind is to extend the use of the telegraph by increasing the number of telegraph stations,

and by spreading these stations widely over the country; and as the amount of work at many of these would be insufficient to employ a special staff, the extension of the Telegraph was contingent on other remunerative work being available for them, and the combination of Postal with Telegraph work offered the simplest solution of the problem.

71. But it appeared not impossible to achieve this result without incurring the disadvantages and risks to efficiency which were found to be inseparable from any attempt at complete amalgamation, and the Director General of Telegraphs was instructed to "proceed with method and vigour" towards combining the charge of the Telegraph with the Post Office in any station where circumstances rendered such a course possible.

72. It will be convenient to reproduce here the Resolution of the Government of India on this subject, which was published as soon as the Director General was able to submit a definite plan of operations.

Resolution by the Government of India, Public Works Department, No. 287T., dated Simla, 9th October 1883.

Read—

Paragraph 6 of Public Works Department Resolution No. 169-90T., dated 31st May 1881.

Letter from Director General of Telegraphs, No. 454, dated 14th July 1883.

Public Works Department letter No. 253T., dated 22nd August 1883, to the Director General of Telegraphs.

Letter from Director General of Telegraphs, No. 480T., dated 29th August 1883.

OBSERVATIONS.—In pursuance of the orders of the Government of India, the Director General of Telegraphs now submits a scheme, drawn up in consultation with the Director General of the Post Office, for utilising the agency of the Post Office in extending the operations of the Telegraph Department. The following are the main heads of this scheme, which has the cordial approval of the Government of India:—

1. To constitute every Post Office in the empire a receiving office or dépôt for the receipt of "Inland" telegrams from the public, whence "Inland" telegrams will be despatched by post to the nearest telegraph station, whether such station be a Government office or an office of a licensed telegraph system.

The charge to the public for a telegram received at a Post Office to be the same as the charge for a telegram received at a Telegraph Office.

2. To train a number of Post Office officials in telegraph duties (their pay while under training and all connected expenses being borne by the Telegraph Department) for the purpose—

(a) of combining telegraph with postal work at telegraph stations where the work can be done efficiently and cheaper by using the agency of the Post Office; and

(b) of working branch telegraph stations off the present main routes, which it is proposed to establish in Post Offices.

3. To erect short lines of telegraph inexpensively constructed, connecting the existing telegraph system with the Post Offices in towns in the vicinity, with the object of bringing the advantages of the telegraph within the reach of people off the main routes, thus providing a large extension of its sphere of usefulness at the least possible expense to the State.

The extent of these connections must be limited by financial considerations, but it is hoped that Local Governments and Administrations will be ready to contribute towards the expense involved, when it is known that this expense under the arrangements now sanctioned will be reduced to a minimum.

4. It has also been proposed by the two Directors General that in order to remove friction and to facilitate the combined working, the Postal Department shall make no charge for postage, registration, &c., of articles on Telegraph service, and that all telegrams sent by the Post Office shall be considered as "on the service" "of the Telegraph Department," and transmitted without charge over the lines of the Telegraph Department.

ment, and of all licensed telegraph systems. This proposal is approved by the Government of India, and may be carried into effect from such date as may be arranged by the two Departments.

5. Detailed rules for the guidance of Postal telegraph receiving offices will be drawn up by the heads of the two Departments concerned, but it may be generally stated that inland telegrams tendered at such offices may be paid for either in cash or in postage labels, while in the case of branch telegraph stations established in Post offices payment may be made in telegraph stamps also.

6. As regards the adjustment of accounts between the Postal and Telegraph Departments, the former will debit the latter with the usual discount on the sale of postage stamps used in payment for telegrams, and with the actual extra expenditure incurred in working Postal telegraph offices.

7. The Government of India is unwilling to bind either Department by the issue of further precise instructions, and confidently leaves the development of the scheme in the hands of the two Directors-General, subject to their submitting from time to time such of their proposals as may require the sanction of higher authority.

The desired economical extension of the telegraph will depend largely on cautious tentative measures adopted, with the consent of both Departments, in the light of experience gained by actual working.

8. In conclusion, His Excellency the Viceroy in Council desires to express his recognition of the spirit in which the two Directors General have taken up this scheme for the development of telegraphic communication in India, and his appreciation of the liberal and ready manner in which the Director General of the Post Office has met the proposals of the Director General of Telegraphs.

73. Thanks to the cordial co-operation of Mr. Hogg, the Director General of the Post Office, who not only placed all the resources of the Post Office at the disposal of the Telegraph Department, but also deputed one of his principal officers for the purpose : the scheme sketched out in this Resolution was brought into operation with great expedition. Detailed rules were drawn up for the guidance of Postmasters, and on the 1st December 1883 every Post Office in the country was made a Telegraph Receiving Office, whence telegrams were dispatched without extra charge to the nearest telegraph station ; the training of postal employés was pushed on with vigour in different provinces, and by the close of the year 55 offices were worked by Postal Agency.

74. The following statement gives particulars of these, and shows also in italics the number of new offices which had been opened and arranged for at the date of writing this report : —

Number of existing Offices transferred to Postal Agency.	NUMBER OF NEW OFFICES OPENED.			Total number of Offices worked by Postal Agency.	Number of Offices arranged for, but not yet open.
	Connected with Departmental Offices.	Connected with Railway Offices.	Total.		
24	21	10	31	55	146
56	86	74	160	216	131

75. The success so far has been eminently satisfactory, and there is every reason to hope that the native public, whose needs have been mainly considered, are able to appreciate and quite ready to avail themselves of the facilities which it is the object of the scheme to bring to their doors.

76. This notice would be incomplete without special mention of the interest taken in the scheme by Mr. Douglas, Deputy Director General of the Post Office, and of the energy and ability which he devoted to its successful accomplishment.

PRIVATE LINES AND TELEPHONE EXCHANGES.

77. The following statements show the transactions of the Telephone Companies during 1882 and 1883, as also the extent of the departmental operations for the last three years:—

Telephone Companies.

1882.

	No. of Subscribers.	No. of Exchange Connections.	No. of Private Lines.	Amounts realized.
				R
Calcutta	102	101	2	32,215
Bombay	90	87	3	25,194
Madras	24	28	...	6,050
Rangoon	17	17	...	6,250
Karachi	11	11	...	2,700
TOTAL	244	244	5	73,009

1883.

				R
Calcutta	195	178	18	52,839
Bombay	134	132	3	38,597
Madras	30	33	...	7,479
Rangoon	40	37	13	16,750
Karachi	12	12	...	4,200
TOTAL	411	392	34	1,19,865

Government Telephones.

YEAR.	No. of Ex- changes.	No. OF EXCHANGE CONNECTIONS.		Total Exchange Con- nections.	PUBLIC LINES.		PRIVATE LINES.		Amounts realized.
		Public.	Private.		No. of Circuits.	No. of Offices.	No. of Circuits.	No. of Offices.	
									R
1881	4	24	...	24	11	16	26	51	19,808
1882	8	45	11	56	42	65	46	82	40,069
1883	12	81	11	92	48	74	41	74	47,131

78. The first private line supplied by the Telegraph Department was erected in August 1875 between the Fort Office of the Peninsular and Oriental Steam Navigation Company in Bombay and the Mazagon dockyard. The instruments used were alphabetical dial instruments. Other firms and companies followed the lead of the Peninsular and Oriental Company, and private lines worked with A, B, C instruments soon became general in all the large cities of India.

79. The invention of the microphone in 1877, and the rapidity with which it was improved and combined with the telephone, gave a new direction to the attention of the department. Various forms of apparatus, obtained from England, America, and elsewhere, were put under trial, while experiments with other designs were made, and an instrument invented by the departmental electrician, Mr. Johnston, was finally adopted.

80. The alphabetical dial instruments were replaced by telephones, and the department was quite prepared to undertake the business of supplying telephones for private lines and also for exchanges.

81. In 1881 the Government decided that private enterprise in telephone business should be encouraged in India, and licenses were granted to the Oriental Telephone Company, Limited, to establish exchanges in Calcutta, Madras, Bombay, and Rangoon, and to the Crossley Company for Calcutta.

The license granted to the latter lapsed; the Oriental Telephone Company, however, commenced operations at once and established exchanges at each of the places above named. In 1882 the Company opened an exchange also in Karachi.

82. In January 1883, this Company was allowed to transfer its licenses for Calcutta and Bombay to local companies, the Bengal and Bombay Telephone Companies, Limited, (the latter including Karachi in its operations), but retained its licenses for Madras and Rangoon.

83. In October 1883, with the object of facilitating the operations of public Companies, the Government revised the rules on the subject. The nature of these rules may be gathered from the following extract from the Resolution by the Government of India, No. 303T., dated 25th October 1883:—

"In view of the desirability of securing adequate protection of the public interests, it is necessary that full discretion should be reserved to the Government to step in and undertake the carrying on of telephonic communication in the event of failure, overcharge, or other misconduct on the part of a Company, or of other circumstances which appear to render such a course desirable. His Excellency the Governor General in Council is therefore pleased to rule that all future licenses will be granted, subject to a full reservation of the rights of Government in this respect.

"The right of the Government to license more than one Company in any town has been maintained from the first, and is now re-affirmed.

"The construction, maintenance, and working of all exchanges for, and lines between, Government offices will be undertaken in all cases by the Government Telegraph Department. The instructions contained in Public Works Department letter No. 309T., dated 13th June 1882, to the address of the Director General of Telegraphs, are therefore cancelled.

"II.—*Connection between the Companies' exchanges and lines, and the Government system*, will be permitted under rules to be hereafter laid down, and on payment of a certain fee.

"When such connections have been established, the receipt and delivery at Telephone Exchange of written messages for transmission over the Government wires will be permitted under rules hereafter to be laid down.

"III.—*Ultra-radial connections*.—Telephone Companies holding licenses for an exchange within certain defined limits may be permitted to connect with their exchange isolated subscribers living beyond the limits defined, subject to the payment of an extra royalty.

"When connections are desired between towns, each possessing a licensed exchange, the trunk line of communication will, in all cases, be erected, maintained, and owned by the Government Telegraph Department, and let to the Company at an annual rental.

"But it must be understood that no Company has a right to *claim* the erection of a trunk line, and that the State is free to approve or decline in each individual case.

"IV.—*Royalties*.—The royalty fixed in the licenses to the Oriental Telephone Company is at the rate of 10 per cent. With a view to encouraging the development of Telephone enterprise, Companies obtaining licenses in future, under the conditions now laid down, will be required to pay a royalty of 5 per cent., with an additional royalty of 1 per cent. on *ultra-radial* connections.

"V.—*Good-will*.—In all future licenses, it will be expressly stipulated, in accordance with the English system, that in case of purchase of the Company's property by the Government, nothing will be paid for the 'good-will' of the business."

84. It will be seen that the royalty payable to Government has been reduced by one-half—a concession, of which the Companies have not been slow to take advantage.

CALCUTTA,
1st December 1884.

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EXTRA SUPPLEMENT TO
The Gazette of India.

CALCUTTA, SATURDAY, FEBRUARY 14, 1885.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

BENGAL TENANCY BILL, 1885, No. III.

The following Further Report of the Select Committee on the Bill to amend and consolidate certain enactments relating to the Law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 13th February, 1885 :—

WE, the undersigned Members of the Select Committee to which the Bill to amend and consolidate certain enactments relating to the law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal was referred, have considered the Bill and the papers noted in the schedule annexed, and have now the honour to submit this our further Report.

It must be understood that in referring to the decisions of the Committee we state the view of the majority where there has been any difference of opinion.

CHAPTER I.

PRELIMINARY.

2. We have made some slight amendments in, and additions to, this chapter, but few of them call for notice here.

The definition of "estate" and that of "proprietor", which is dependent on it, have given rise to the erroneous supposition that it was intended to exclude Government tenants from the operation of the Bill. We have now so amended the definitions as to remove any misapprehension on this point.

3. As it seems reasonable that the provisions of the Bill contained in sections 53 to 68, both inclusive, sections 72 to 75, both inclusive, Chapter XII and Schedule III should apply to money recoverable under any enactment as if it was rent, we have added to the definition of "rent" a clause providing that "rent" shall in those portions of the Bill include such money.

CHAPTER II.

CLASSES OF TENANTS.

4. The only amendments calling for notice in this chapter are—

1st—that we have omitted all reference to the raiyat converted into a tenure-holder under section 37 of the Bill No. II, as it has been determined to omit section 37 (see *infra*, paragraph 17); and

2nd—that we have altered section 5 (5) so as to provide that a tenant holding more than 100 bighás shall be presumed, until the contrary is shown, to be a tenure-holder, without raising an issue as to his having sub-let any part of his holding.

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CHAPTER III.

TENURE-HOLDERS.

5. We have in section 7 of this chapter included, among the matters to which a Court must have regard in enhancing the rent of a tenure-holder, the questions "whether the tenure was originally granted at a specially low rent for the purpose of reclamation" and "whether any fine or premium was paid on the creation of the tenure."

6. We have omitted section 8 of the Bill No. II, which provided that a Court should not enhance the rent of a tenure to more than double the previous rent.

7. We have in section 9 made the interval which must elapse between successive enhancements of the rent of a tenure the same as in the case of an occupancy-holding, namely, fifteen years.

8. We have omitted the provisions of this chapter specially applicable to patni tenures, and Chapter XVI, relating to summary sale of patni and other tenures for arrears, as we are, on further consideration, reluctant to interfere at present with the existing law regarding patni tenures, and are of opinion that any extension of the patni sale law to other tenures should be reserved for consideration in connection with the Bengal Registration Bill, to which we shall presently have to refer.

9. We have in sections 12 to 16 of the Bill so far altered the system of the registration of transfers of, and successions to, permanent tenures as to provide merely for enabling the landlord to register such transfers instead of compelling him to do so.

The Bill in its previous stages provided for a compulsory system of registration by the landlord. This, it was objected, would not work satisfactorily, especially as the landlords of many tenure-holders are poor and ignorant persons, having no regular office and no means of establishing one or maintaining a suitable register. At the same time it was pointed out that the establishment of an official registry would confer a great benefit on all concerned, and especially on the landlords, who might, if such a registry were established, be allowed to realize their rents by the process of summary sale which is now available only in the case of a limited class of tenures.

A Bill for the establishment of an official registry is at this moment before the Bengal Legislative Council, and the object we have set before ourselves in re-casting the portion of our Bill now under consideration has been to frame its provisions in such a manner as to secure to the Collector, who will be the officer entrusted with the preparation and maintenance of the official register, early and accurate information of all transfers and successions which may from time to time take place.

We have not overlooked the fact that the substitution of official registration for registration in the landlord's sherista would deprive the landlords of the fees which it was proposed to allow them under the Bill as originally framed, and which, it is believed, they commonly realize at present, though in most cases without any warrant of law. We think that the fees prescribed by the Bill in its earlier stages may well be paid to the landlord, even though he is to be relieved of the duty of registration.

10. The provisions we have inserted in the Bill in order to give effect to these views are as follows:—

First, as regards voluntary transfers (section 12), the simplest plan has appeared to us to be to require that every such transfer shall be registered under the ordinary law relating to the registration of documents. It is understood that the Local Government will make all arrangements requisite for facilitating the registration of such transfers. The parties applying for registration will be required to pay to the registering officer "the landlord's fee" and a process-fee for the service of notice on the landlord. When the registration has been completed, the registering officer will forward to the Collector the landlord's fee and a notice of the transfer containing all necessary particulars, and the Collector will thereupon cause the landlord's fee to be paid to the landlord and the notice to be served upon him, at the same time taking any such steps as may be prescribed by the measure now pending before the Bengal Legislative Council for the entry of the transfer in his official register.

When a transfer takes place by sale in execution of a decree (sections 13 and 14), the procedure will be substantially similar, the notice and the fee being sent to the Collector by the Court, except that, following the lines of the Bill in its earlier stages, we have not provided for the payment of a fee to the landlord when the sale takes place in execution of a decree for arrears.

In the only remaining case of transfer, namely, that of transfer by summary sale, the Collector will have in his own office all the information requisite for the purpose of registration.

11. When a succession to a permanent tenure takes place, the party succeeding will be bound (section 15) to give notice to the Collector and pay to him the landlord's fee and the process-fee above referred to, and the Collector will then proceed as above described.

12. In order to compel the person succeeding to comply with the provisions of this section, we have retained, for the case of successions, the provision of section 18 of the Bill No. II, under which a person succeeding will be debarred from recovering his rent by suit, distraint or otherwise, until he has given the notice and paid the fees prescribed.

CHAPTER V.

OCCUPANCY-RAIYATS.

13. The first alteration in this chapter which appears to call for notice has reference to the area over which the status of settled raiyat is to hold good.

In the 11th paragraph of our first Report we referred to the inconvenience which might arise in certain exceptionally large estates from the status holding good over the whole estate, and this has given rise to considerable discussion. The Bengal Government, in the 22nd paragraph of its report of the 15th September, 1884, stated that "the majority of the officers consulted disapproved of the definition of 'settled raiyat' as given in the Bill," and that "the proposal which found favour was the elimination of the word 'estate' from the definition".

That Government, nevertheless, was of opinion that it was necessary to retain the word "estate" in order to meet the danger of the acquisition of the occupancy-right being prevented by shifting raiyats from one village to another within the estate.

It seemed to us that this danger was not so great as to justify the extension, over all portions of an estate of the status of "settled raiyat" acquired in one portion of it, since estates are frequently divided among numerous tenure-holders, who would have no opportunity of examining each other's books, or knowing anything about each other's raiyats. The danger in either direction is not serious, for in the vast majority of cases the raiyat is practically tied to his own village; and we felt, moreover, that by confining the status to the village we should be proceeding in closer conformity to the original conception of a *khudkash* raiyat, which, as explained in the Statement of Objects and Reasons of the Bill, it has been always intended to keep in view.

14. We have in section 22 re-cast sections 28 and 29 of the Bill No. II so as to carry out more precisely the intention with which they were framed, and we have inserted a sub-section (2) providing that if the occupancy-right in land is transferred to a person jointly interested in the land as proprietor or permanent tenure-holder it shall cease to exist.

15. Sections 23 to 26 of the amended Bill take the place of sections 31 to 36 of the Bill No. II; but, except a saving of custom as regards the descent of the occupancy-right in section 26, the only important change they involve is the omission of all provisions regarding the transfer of the occupancy-right, which, apart from the matter of sale in execution of a decree for rent (dealt with in Chapter XIV), we now propose to leave to custom as under the existing law.

16. The reasons for and against the proposal to make the occupancy-right everywhere transferable by an express legislative enactment have been so fully discussed within the last three years, and are so well known to all interested in such matters, that we shall not lengthen this Report by attempting to recapitulate them. It is enough to say that the Government of Bengal, in their letter of the 15th of September last, proposed to leave the law relating to the transferability of the right for the present untouched in Behar, and that on a further consideration of the question we are of opinion that the most prudent course will be to omit the provisions relating to voluntary transfer altogether from the present Bill. This decision has enabled us to omit all reference to the question of pre-emption.

17. The 37th section of the Bill No. II, which provided that raiyats sub-letting their land should in certain cases be deemed to be converted into tenure-holders, has met with much adverse criticism, and we now propose to omit it.

The remaining provisions as to sub-letting we have relegated to Chapter IX, where they will be found with certain modifications and additions.

18. In regard to the enhancement of rent in the case of occupancy-rights the Government of Bengal made certain

- * VI.—To recognize the principle that, in the absence of reason to the contrary, the Courts shall regard a rise in the price of staple food-grain as entitling the landlord to an enhancement of rent.
- VII.—To fix the percentage by which the enhanced rent shall exceed the former rent at a definite proportion (one-half is suggested for consideration) of the percentage by which the enhanced prices exceed the former prices, the other portion going as an allowance for increased cost of production.
- VIII.—To assign to enhancements on the ground of landlords' improvements a maximum limit of double the former rent.
- IX.—To abandon the provision for enhancement on the ground of a "prevailing rate," experience having shown that no such rate exists, and that the position assigned to it in the present law has led to the construction of collusive and fictitious rates for the purpose of forcing up rents.
- X.—To abandon fluvial action as a ground of enhancement of rent, but to recognize freedom of contract between landlord and raiyat in regard to new alluvium.
- XI.—To withdraw the arbitrary limitations on enhancements by suit on account of a rise in prices, and to allow contracts for enhancement of rent out of Court up to a maximum limit of two annas in the rupee (12½ per cent) of the former rent, and for a minimum period of 15 years.
- XII.—To withdraw all restrictions on freedom of contract in respect of the initial rent of all land which may lapse to the landlord from whatever cause.
- XIII.—To re-introduce the provision that the rent of the occupancy or non-occupancy raiyat shall not exceed one-fifth of the value of the gross produce calculated in staple food-grains.

proposals in their letter of 15th September, 1884, which are summarised in the 84th paragraph of that letter as shown on the margin.*

In regard to VI and VII we said in paragraph 34 of our Report last year that in applying the proportion rule in the case of prices the question of making some deduction to cover the effect of increased prices on the cost of cultivation would receive further con-

sideration. The Government of Bengal recommended a deduction of one-half on this account.

We recognised the difficulty of making the Courts ascertain the actual cost of production, and as it was necessary to fix an arbitrary limit we have fixed the deduction at one-third as a general rule.

19. With reference to VIII we did not think we could justify any arbitrary limit in terms of a fractional proportion of the old rent being placed on enhancement when made on the ground of landlords' improvements.

20. We were unable to accept the proposal (IX) to abolish the prevailing rate as a ground of enhancement, inasmuch as this has, in one shape or another, been a ground of enhancement ever since the Permanent Settlement, and as it is the only means by which a landlord can remedy the effects of fraud or favouritism on the part of his agent or predecessors. In view, however, of the dangers which are said by competent authorities to arise from the artificial manufacture of rates, and from the very wide interpretation given to the term "places adjacent," we have somewhat modified the terms of the section, have limited enhancement to the rate ascertained to be the prevailing rate *in the village*, and have required that this rate should be determined with reference to the rates actually paid during a period of not less than three years before the institution of the suit.

21. We were not able to accept the proposal (X) to abandon fluvial action as a ground of enhancement.

22. On the other hand, we have accepted the proposal (XI) to limit enhancements by registered contract (except on the ground of improvement made by the landlord) to two annas in the Rupee ($12\frac{1}{2}$ per cent.) carrying with it in all cases a right to hold at the enhanced rent for 15 years, and we have at the same time struck out all the fractional limits placed on enhancement in Court by sections 44 (a), 45 (b) and 47 (b) of the Bill No. II.

23. The restrictions which it was proposed by section 42 to impose in certain cases on the initial rents payable by settled raiyats have, we think, been shown to be impracticable, and we have therefore, as proposed by the Government of Bengal (X1), omitted the section.

24. We were not able to accept the recommendation numbered XIII.

25. The only other amendments in the chapter which appear to call for special notice are as follows:—

- (a) we have required Courts, in dealing with claims to enhancement on the ground of a rise in prices, to take decennial periods instead of quinquennial periods for the purposes of comparison, except when owing to the absence of price-lists or any other cause they find it impracticable to take such periods, in which case they may take any shorter periods;
- (b) we have amended section 39 so that the price-lists prepared under it shall be merely presumptive evidence instead of being conclusive, as provided in the corresponding provision of the Bill No. II. The Bengal Government are of opinion that their arrangements are not at present so perfect as to justify these lists being made conclusive evidence;
- (c) we have in section 40 included among the matters to be taken into consideration by an officer commutting rent the charges incurred by the landlord in respect of irrigation under the system of rent in kind and the arrangements made on commutation for continuing those charges.

CHAPTER VIII.

GENERAL PROVISIONS AS TO RENT.

26. We have omitted from the section (50) which enacts the well-known presumption arising from holding at a rent unchanged for 20 years the sub-section which made the presumption applicable to produce-rents, as opinions generally were opposed to it.

27. We have, in section 52, providing for the alteration of rent on the ground of an alteration in the area of the holding, assimilated the provisions of the two clauses (a) and (b), which provide respectively for increase and reduction; and we have inserted the following new sub-section to guide the Courts in cases where there may be a dispute as to the area for which the tenant has been paying rent:—

"In determining the area for which rent has been previously paid, the Court shall, if so required by any party to the suit, have regard to—

- "(a) the origin and conditions of the tenancy; for instance, whether the rent was a consolidated rent for the entire holding;

- “ (b) whether the tenant has been allowed to hold* additional land in consideration of an addition to his total rent or otherwise with the knowledge and consent of the landlord ;
- “ (c) the length of time during which the tenancy has lasted without dispute as to rent or area ; and
- “ (d) the length of the measure used or in local use at the time of the origin of the tenancy as compared with that used or in local use at the time of the institution of the suit.”

We have also brought the section under the general rule that the Court shall not fix a rent which would be unfair or inequitable.

28. We have substituted for the section of the Bill No. II regulating the instalments in which rent is to be payable the following simpler provision, namely :—

“ 53. Subject to agreement or established usage a money-rent payable by a tenure-holder or raiyat shall be paid in four equal instalments falling due on the last day of each quarter of the agricultural year ” ;

and to prevent raiyats being harassed by successive suits for arrears, when by agreement or custom a larger number of instalments than four may be established, we have inserted in Chapter XIII a section (147) enacting in effect that such suits shall not be instituted against a raiyat oftener than once in three months.

29. We have made certain amendments in the division of the chapter relating to receipts and accounts, but the only one calling for special notice is the insertion of a new section (59) requiring the Local Government to provide and keep on sale forms of receipts and accounts. It will be for the landlords to choose whether they will use those forms, but we believe they will be found convenient.

30. In pursuance of the policy of the Bengal Act for the registration of proprietors, we have inserted the following section :—

“ 60. Where rent is due to the proprietor, manager or mortgagee of an estate, the receipt of the person registered under the Land Registration Act, 1876, as proprietor, manager or mortgagee of that estate or of his agent authorized in that behalf shall be a sufficient discharge for the rent ; and the person liable for the rent shall not be entitled to plead in defence to a claim by the person so registered that the rent is due to any third person.

“ But nothing in this section shall affect any remedy which any such third person may have against the registered proprietor, manager or mortgagee.”

31. We have likewise modified in some particulars the provisions relating to the deposit of rent, but need only mention the provision that the deposit shall be made in the Court having jurisdiction to entertain a suit for the rent, and the limitation of the second ground on which an application to deposit rent may be made to cases where the tenant has reason to believe, owing to a tender having been refused or a receipt withheld on a previous occasion, that the landlord will not be willing to receive the rent or grant a receipt.

32. We have omitted the second sub-section of section 77 of the Bill No. II, which enacted that, when the right, title and interest of a tenant is brought to sale in execution of a decree obtained by a person other than the landlord, the landlord shall be entitled to have his rent paid first out of the sale-proceeds, and we have so re-cast the section as to make it clear that in the case of a tenure-holder, raiyat at fixed rates or occupancy-raiyat the landlord's remedy for arrears will be sale and not ejectment, and that the arrears will be a first charge on the tenure or holding.

33. We have substituted for section 79 of the Bill No. II a section (67) providing that an arrear of rent shall bear simple interest at the rate of 12 per cent. per annum from the expiration of that quarter of the agricultural year in which the instalment falls due.

34. To meet those cases in which transfer without the landlord's consent is a valid custom, we have provided in section 73 that, until notice of such a transfer is duly served on the landlord, the transferor and transferee shall be jointly and severally liable for arrears of rent accruing after the transfer.

CHAPTER IX.

MISCELLANEOUS PROVISIONS AS TO LANDLORDS AND TENANTS.

35. We have in section 79 provided that a non-occupancy raiyat shall be entitled to construct a well for the irrigation of his holding. A well constructed under this provision will be an

improvement within the meaning of the Act, and the raiyat will on being ejected be entitled to receive compensation for it. The high importance of facilitating and encouraging the construction of all works of irrigation in this country with a view to the prevention of famine points to the necessity of this.

36. We have inserted a new section (84) giving power to landlords to acquire by compulsory sale, through the Civil Court and at a price to be fixed by the Court, any land in their estate required for building purposes or for religious, charitable or educational objects. The necessity of some such power, especially with a view to provide building-sites either for new tenants or in cases of diluvion, has been strongly urged upon us. We have guarded the section against abuse by requiring the certificate of a Collector as to the sufficiency of the reason before action can be taken under it.

37. We have inserted a section (85) providing that if a raiyat sub-lets otherwise than by a registered instrument the sub-lease shall not be valid against his landlord unless made with his landlord's consent, that a sub-lease by a raiyat shall not be admitted to registration if it purports to create a term exceeding nine years (seven years was the longest term for which an occupancy-raiyat could sub-let under section 38 of the Bill No. II) and that where a raiyat has without his landlord's consent granted a sub-lease by an instrument registered before the commencement of the Act the sub-lease shall not be valid for more than nine years from the commencement of the Act.

38. In dealing with surrender and abandonment the only changes made by us which need here be noticed are the provisions which we have inserted to check collusive surrender or abandonment in fraud of the rights of third parties. The necessity for this was brought to notice in paragraph 69 of the Bengal Government's letter of 15th September, where it is shown that riyats not unfrequently sub-let the whole or a portion of their holdings in consideration of a large bonus for a term of years. To leave the interests of sub-lessees in such cases entirely at the mercy of the sub-lessor in collusion with his landlord would do serious practical harm. We have therefore provided (section 86 (6)) that the surrender of a holding which is subject to a registered incumbrance shall not be valid without the consent of the incumbrancer and the landlord, and in case of abandonment we have provided (section 87 (4)) that the sub-lease shall only be avoided after the sub-lessee has had the opportunity of taking over for the unexpired period of his sub-lease the full rights and liabilities of his lessor in regard to the rent of his entire holding. These provisions appear to us to present the only method by which protection can be given to the sub-lessee without injury to the landlord or without risking the conversion of these sub-leases into permanent transfers. In the case of sale in execution of a decree for rent, the sub-lessee has the same protection as other incumbrancers under Chapter XIV.

39. We have in section 88 provided that a division of rent shall not be valid as against the landlord without his consent in writing. This we understand to be the existing law.

40. We have amended section 90 so as to make it clear that a landlord is not entitled to enter on and measure land exempt from the payment of revenue.

41. We have in section 92 substituted the acre for the standard bigha as the official standard of measurement, and have empowered a Court or Revenue-officer to direct, where such a course may seem more convenient, that a measurement shall be made by any other specified standard.

CHAPTER X.

RECORD-OF-RIGHTS AND SETTLEMENT OF RENTS.

42. In the Bill No. II the two processes known as the record-of-rights and the settlement of rents were dealt with separately, but it seemed to us more convenient that they should be amalgamated, and we have accordingly given to the Revenue-officer who is appointed to settle disputes during the operation of recording rights a similar power to settle disputes regarding rents.

We have, however, provided for two distinct kinds of settlement. Under the ordinary settlement, the officer will only have the power to settle rents when a settlement of land-revenue is being made or a question between the landlord and tenant arises, and such rents as he settles will generally be fixed for a term of years; in other cases his recorded entries will only have a presumptive value; he can, moreover, only reduce rents on the grounds under which reduction is demandable in the Civil Courts. Under the special settlement, which will only be undertaken with the previous sanction of the Government of India, and which is meant to be applied only in circumstances in which the operation of the ordinary law is likely to prove insufficient, the Settlement-officer will have power to settle all rents, and will, moreover, have

power to reduce rents on other grounds than those ordinarily applicable. We think that in the exceptional cases in which it may be necessary to have recourse to this procedure the Government should have power to go to the root of the matter, and to put its settlement on a thoroughly stable footing.

TABLES OF RATES.

43. We have decided, in deference to the opinion of many experienced officers and with the consent of the Government of Bengal, to omit the chapter (XI of Bill No. II) providing for the preparation of tables of rates. It was evident that the procedure would only be made use of in rare and exceptional cases, and a more effectual method of treating these cases is provided in the Settlement chapter.

CHAPTER XI.

RECORD OF PROPRIETORS' PRIVATE LANDS.

44. The only amendment calling for notice in this chapter is the insertion of a provision in section 116, that nothing in the chapter (VI) relating to non-occupancy-raiyats shall apply to a proprietor's private lands. This merely expresses what was always intended, though by an oversight it was not previously provided for.

CHAPTER XII.

DISTRAINT.

45. We have inserted two sections of some importance at the end of this chapter.

The first (141) provides that when the Local Government is of opinion that in any local area or in any class of cases it would, by reason of the character of the cultivation or the habits of the cultivators, be impracticable for a landlord to realize his rent by an application to the Court under this chapter, it may by order authorize the landlord to distrain by himself or his agent; but that a landlord so distraining shall forthwith give notice to the Court, and that the Court shall thereupon depute an officer to take charge of the produce distrained, and proceed thereafter as if he had distrained under the ordinary procedure. The other section (142) added to this chapter empowers the High Court to make rules regulating the procedure under it.

CHAPTER XIII.

JUDICIAL PROCEDURE.

46. Section 147 has already been noticed (*supra* paragraph 28).

47. We have in section 148 added to the sections of the Civil Procedure Code, which are not to apply to rent-suits, section 326, empowering the Court to authorize the Collector to stay an execution sale of land in certain cases.

48. We have in section 153 excepted from the rules restricting appeals in rent-suits cases in which a question of the amount of rent annually payable by the tenant has been determined.

49. We have omitted section 172 of the Bill No. II, which required all mutual claims between the landlord and tenant as such to be inquired into and determined in every suit and proceeding for ejectment.

CHAPTER XIV.

SALE FOR ARREARS UNDER DECREE.

50. We have added to the "protected interests" in section 160—

"(e) the right of a non-occupancy-raiyat to hold for five years at a rent fixed under Chapter VI by a Court or under Chapter X by a Revenue-officer."

The section as it stood would probably have been construed to cover such cases, but we think it well to leave no room for doubt on the point.

51. We have, in order to shorten proceedings, inserted in section (163) a clause enacting that in cases under this chapter the order of attachment and the proclamation of sale required by section 287 of the Civil Procedure Code shall be issued simultaneously.

52. We have, at the suggestion of our honourable colleague Bábú Peári Mohan Mukerji, inserted a new section (174) allowing a judgment-debtor to apply to set aside a sale of his tenure or holding, on depositing in Court within thirty days from the date of sale for payment to the decree-holder the amount recoverable under the decree with costs, and for payment to the purchaser a sum equal to 5 per cent. of the purchase-money. Applications under section 311 of the Code of Civil Procedure to set aside sales cause expense and annoyance to the decree-holder and auction-purchaser. It is believed that they are often instituted merely with a view to recovering the tenure or holding which has been sold, and it is anticipated that, if a judgment-debtor is allowed to recover his property by depositing after the sale the amount decreed against him, the number of these applications will be considerably diminished.

CHAPTER XV.

CONTRACT AND CUSTOM.

53. A question having been raised as to how far section 210 of the Bill No. II, which was intended to have retrospective effect, should be allowed such effect, we have carefully considered each provision of that section, and have come to the conclusion that some of those provisions ought, with reference to this point, to be treated differently from others. The way in which we propose to treat the matter will be best seen from the new section we now propose, which runs as follows:—

Restrictions on exclusion of Act by agreement. “178. (1) Nothing in any contract between a landlord and tenant made before or after the passing of this Act—

- “(a) shall bar in perpetuity the acquisition of an occupancy-right in land, or
- “(b) shall take away an occupancy-right in existence at the date of the contract, or
- “(c) shall entitle a landlord to eject a tenant otherwise than in accordance with the provisions of this Act, or
- “(d) shall take away or limit the right of a tenant, as provided by this Act, to make improvements and claim compensation for them.

“(2) Nothing in any contract made between a landlord and tenant since the 15th day of July, 1880,* and before the passing of this Act shall prevent a raiyat from acquiring, in accordance with this Act, an occupancy-right in land.

“(3) Nothing in any contract made between a landlord and tenant after the passing of this Act shall—

- “(a) prevent a raiyat from acquiring in accordance with this Act an occupancy-right in land;
- “(b) take away or limit the right of an occupancy-raiyat to use land as provided by section 23;
- “(c) take away the right of a raiyat to surrender his holding in accordance with section 86;
- “(d) take away the right of a raiyat to transfer or bequeath his holding in accordance with local usage;
- “(e) take away the right of a raiyat to sub-let subject to, and in accordance with, the provisions of this Act;
- “(f) take away the right of a raiyat to apply for a reduction of rent under section 38 or section 52;
- “(g) take away the right of a landlord or tenant to apply for a commutation of rent under section 40; or
- “(h) affect the provisions of section 67 relating to interest payable on arrears of rent.”

54. To meet the important case of a lease for the reclamation of waste land to which these provisions are not suitable, we have added the following proviso:—

“Provided as follows:—

- “(i) Nothing in this section shall affect the terms or conditions of a lease granted *bond fide* for the reclamation of waste land, except that, where, on or after the expiration of the term created by the lease, the lessee would, under Chapter V, be entitled to an occupancy-right in the land comprised in the lease, nothing in the lease shall prevent him from acquiring that right.”

* This was the date of the publication by the Government of Bengal of the Rent Commission's Report and Draft Bill.

55. We have further provided that the section shall not affect those contracts which are occasionally entered into for the temporary cultivation of orchard land with agricultural crops.

56. We have in section 180 put *utbandi* lands on the footing on which *chur* lands were placed by section 213 of the Bill No. II, that is to say, no occupancy-right will be acquirable in them until they have been held for twelve years, and meantime the tenant will be bound to pay whatever rent may be agreed on between him and his landlord. We have further provided that Chapter VI of the Bill shall not apply to such lands.

57. We agree with the Government of Bengal in thinking that it is not desirable to make any special provision regarding the lands known as "*hál-hasili*," and we have accordingly omitted all references to them in this chapter.

58. We have considered the proposals of the Government of Bengal regarding homestead lands, and find that they practically resolve themselves into this, that the tenure of such lands should, as provided by section 216 of the Bill No. II, be regulated by local custom, with this addition, however, that, subject to local custom, they should be regulated by the provisions of the Bill applicable to land held by a *raiya*t. We have amended the section (182) on these lines.

CHAPTER XVII.

SUPPLEMENTAL.

59. We have in section 189 added to the powers which may be conferred on officers by the rules to be made by the Local Government—"any power exercisable by any officer under the Bengal Survey Act, 1875."

60. We have also inserted the following new section, which speaks for itself :—

"194. Where a proprietor or permanent tenure-holder holds his estate or tenure subject to the observance of any specified rule or condition, nothing in this Act shall entitle any person occupying land within the estate or tenure to do any act which involves a violation of that rule or condition."

61. Lastly, we have added a section (196) providing that "this Act shall be read subject to every Act passed after its commencement by the Lieutenant-Governor of Bengal in Council." In the absence of some such provision as this, the Bengal Legislative Council would, owing to the wide extent of ground covered by this measure of the Supreme legislature, find itself practically debarred for all time to come from dealing with almost every question affecting the relations of agricultural landlords and tenants.

62. In the 99th paragraph of our former Report we mentioned certain points on which we desired further information, and on which we solicited the opinions of the Local Government or High Court or both, and to these it is necessary briefly to allude in so far as they have not been disposed of by the foregoing remarks.

63. The first of these points, which was referred to the Local Government, was "whether, with reference especially to landlord's improvements, it is desirable to empower Revenue-officers to arrange for the cutting of irrigation-channels, the distribution of water and the payment of compensation, and, if so, what form such provisions should take."

We are fully sensible of the great importance of this question, but on full consideration we agree with the Government of Bengal in thinking that a discussion of it would be out of place in connection with the present Bill, and that it will be most appropriately treated in connection with the irrigation law, which will probably soon come under revision in Bengal.

64. The only other points specially referred to the Local Government, and to which we have not already adverted, were certain proposals to extend the *patní* sale procedure. Those proposals did not commend themselves to the Local Government, and now that the *patní* procedure is to be excluded from the present Bill, they would more properly be reserved for future consideration.

65. The remaining points to which we think it necessary to advert had reference to the question as to the possibility of devising some simplification of the procedure in rent-suits. In paragraph 83 of our former Report we said—"For ourselves we must confess that, after the most anxious consideration of the various schemes which have been propounded for shortening and simplifying the procedure in rent-suits, we are unable to suggest anything of importance in this direction, which would not involve a serious risk of failure of justice." We, however,

proposed that certain suggestions which had been made should be referred for the opinion of the High Court. The reply of the Honourable Judges is among the papers before us, and we regret to find that, as we apprehended, they too are unable to strike out any royal road to the result desired. They disapprove of the specific suggestions made, and they state it as their opinion that the true remedy for the evils complained of is to be found in executive rather than in legislative action, that is to say, in an increase in the judicial staff and a reduction of the court-fees.

Since the reply of the Honourable Judges has been received, further proposals have been submitted to us, and in particular a scheme put forward by Bábú Mohiny Mohun Roy, on which the opinions of certain officers have been taken, but we regret to say we have not found among them anything which would materially abridge the procedure without entailing a risk of serious failure of justice. The executive measures referred to by the High Court will, doubtless, receive careful consideration at the hands of the Government.

66. The publication ordered by the Council has been made as follows :—

<i>In English.</i>				<i>Date.</i>
<i>Gazette.</i>				
<i>Gazette of India</i>	...	...	...	29th March, and 5th and 12th April, 1884.
<i>Calcutta Gazette</i>	...	...	...	2nd, 9th and 16th April, 1884.

<i>In the Vernaculars.</i>				<i>Date.</i>
<i>Province.</i>		<i>Language.</i>		
Bengal ...	...	Bengali	...	29th April, 1884.
		Hindi	...	6th May, 1884.
		Uriya	...	8th May, 1884.

67. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

S. C. BAYLEY.

RIVERS THOMPSON.*

C. P. ILBERT.

LAKSHMESHWAR SINGH OF DARBHANGA.*(a)

J. W. QUINTON.

T. M. GIBBON.*

AMÍR ALÍ.*(b)

W. W. HUNTER.*

H. J. REYNOLDS.*

PEARI MOHAN MUKERJI.* (c)

G. H. P. EVANS.*

The 12th February, 1885.

* Signed subject to dissent on certain points.

(a) I sign this Report as it represents the views of the majority, but I reserve to myself the right of recording a separate dissent.

(b) I object to some of the main provisions of the Bill and have recorded a separate dissent.

(c) This Report represents the views of the majority. I object to the main principles of the Bill and record a separate dissent.

SCHEDULE.

- Endorsement by Officiating Under-Secretary to Government of India, Revenue and Agricultural Department, No. 197—1-63, dated 13th March, 1884, and enclosures [Papers No. 42].**
- From Bábu Pronob Náth Ghosál, Náib, Roy Luchmiput Sing Bahadur's Zamindári, Kutabpur, District Rungpur, dated 24th April, 1884 [Paper No. 43].**
- Endorsement by Under-Secretary to Government of India, Revenue and Agricultural Department, No. 491—9-24R., dated 23rd July, 1884, and enclosures [Papers No. 44].**
- Office Memorandum by Revenue and Agricultural Department, No. 499R., dated 25th July, 1884 [Papers No. 45].**
- From Officiating Registrar, High Court, Calcutta, No. 1986, dated 8th August, 1884 [Paper No. 46].**
- Extract from *The Bengált* of 30th August, 1884 [Paper No. 47].**
- From Officiating Registrar, High Court, Calcutta, No. 2611, dated 15th September, 1884, and enclosure [Papers No. 48].**
- „ Bábu Kishori Lal Sarkár, dated 21st September, 1884 [Paper No. 49].
- „ Secretary, British Indian Association, No. 87, dated 23rd September, 1884, and enclosure [Papers No. 50].
- Endorsement by Under-Secretary to Government of India, Revenue and Agricultural Department, No. 648—926, dated 23rd September, 1884, and enclosures [Papers No. 51].**
- Note by Bábu Kishori Lal Sarkár [Paper No. 52].**
- From Secretary to Government, Bengal, No. 1906T.R., dated 15th September, 1884, and enclosures [Papers No. 53].**
- „ Officiating Under-Secretary to Government, Bengal, No. 2071T.R., dated 29th September, 1884, and enclosures [Papers No. 54].
- Memorial of Committee of Orissa People's Association, dated 21st October, 1884 [Paper No. 55].**
- Memorial of Middle Tenure-holders of the Sub-division of Jhenidah, District Jessore [Paper No. 56].**
- Endorsement by Under-Secretary to Government of India, Revenue and Agricultural Department, No. 749—9-35R., dated 31st October, 1884, and enclosures [Papers No. 57].**
- From Officiating Registrar, High Court, Calcutta, No. 2759, dated 3rd November, 1884, and enclosure [Papers No. 58].**
- From Officiating Registrar, High Court, Calcutta, No. 2943, dated 20th November, 1884, and enclosure [Papers No. 59].**
- From Honorary Secretary, Bebar Landholders Association, dated 27th October, 1884 [Paper No. 60].**
- From Officiating Under-Secretary to Government, Bengal, No. 2201T.R., dated 9th October, 1884, and enclosure [Papers No. 61].**
- From Bábu Rajkissore Mookerjee, Cultivator-raiyat, Utterpára, dated 24th November, 1884, and enclosure [Papers No. 62].**
- Notes by the Hon'ble T. M. Gibbon [Papers No. 63].**
- From Officiating Under-Secretary to Government, Bengal, No. 1926—1009L.R., dated 28th November, 1884, and enclosure [Papers No. 64].**
- From Bábu Unesh Chundra Ghosh, Senior Pleader, Jessore, dated 24th November, 1884, and enclosure [Papers No. 65].**
- From Bábu Rajkissore Mookerjee, Utterpára, dated 5th December, 1884, and enclosure [Papers No. 66].**
- From Secretary to Government, Bengal, No. 2002—1038 L. R., dated 4th December, 1884, and enclosures [Papers No. 67].**
- From Officiating Under-Secretary to Government, Bengal, No. 2013—1041 L. R., dated 4th December, 1884, and enclosures [Papers No. 68].**
- From Officiating Under-Secretary to Government, Bengal, No. 1980—1024 L. R., dated 3rd December, 1884, and enclosures [Papers No. 69].**
- From Secretary, Bhagulpore Landholders Association, No. 52, dated 3rd December, 1884, and enclosures [Papers No. 70].**
- From Officiating Under-Secretary to Government, Bengal, No. 2085—1075 L. R., dated 10th December, 1884, and enclosures [Papers No. 71].**
- From Bábu Bepin Behari Sircar, dated 1st December, 1884, and enclosure [Papers No. 72].**

- From Officiating Under-Secretary to Government, Bengal, No. 2091—1077 L. R., dated 10th December, 1884, and enclosures [Papers No. 73].
- A Review of the Procedure sections of the Bill (No. II), and a few suggestions for the simplification of Procedure, by Bábu Mohiny Mohun Roy [Paper No. 74].
- From Secretary, Behar Landholders Association, dated 13th December, 1884, and enclosures [Papers No. 75].
- From Secretary, Central Committee of Landholders of Bengal and Behar, No. 123, dated 29th December, 1884, and enclosure [Papers No. 76].
- Memorial of Khás Mahál Raiyats of Government Estate Jalamuta, Villages Paikbhera, Har-masah, &c., District Midnapur [Papers No. 77].
- From Bábu Sarat Chunder Mukhopadhyaya, to Private Secretary to His Excellency the Viceroy, dated 27th December, 1884, and enclosure [Papers No. 78].
- From Bábu Rajkissore Mukerjee, Uttarpara, dated 8th January, 1885, and enclosure [Papers No. 79].
- From the Maharájá of Burdwan, No. L.9—301, dated 7th January, 1885, and enclosure [Papers No. 80].
- From Officiating Registrar, High Court, Calcutta, No. 126, dated 14th January, 1885, and enclosure [Papers No. 81].
- Office Memorandum by Private Secretary to His Excellency the Viceroy, No. 111, dated 19th January, 1885, and enclosures [Papers No. 82].
- Office Memorandum by Private Secretary to His Excellency the Viceroy, No. 113, dated 17th January, 1885, and enclosures [Papers No. 83].
- From Bábu Ketaki Bilas Rai, Kirtipur, Jessore, dated 26th January, 1885, and enclosure [Papers No. 84].
- Endorsement by Officiating Under-Secretary to Government, Bengal, No. 327-128 L.R., dated 31st January, 1885, and enclosures [Papers No. 85].

Memorandum of dissent from the decisions of the Select Committee on the Bengal Tenancy Bill.

IN signing the Report of the Select Committee on this Bill I wish to place on record my opinion that, having regard to all that has been elicited by the Commissions and enquiries of the last six or seven years, the Bill inadequately meets the necessities of the case which called for legislation. It is unsatisfactory, in so far as it gives insufficient protection to all raiyats against excessive enhancements of rent, and no real protection in other directions to the non-occupancy-raiyat.

To enter briefly into details I note, *firstly*, that the change under which the limit of the "village" has been substituted for the "village or estate" in section 20 of the Bill, will seriously affect the fixity of the "settled" raiyat's tenure. As originally drawn, "estate" formed part of this section, and its adoption as part of the definition had the sanction of the Secretary of State. In that form no doubt the definition met with considerable opposition in Committee, but I was prepared to meet objections by accepting an arrangement whereby a permanent cultivator, when willing to pay a fair rent, should carry his *status* as a settled raiyat to any land in that portion of his landlord's estate as might be situated in the pargana or fiscal circle in which the raiyat resided.

Secondly, I have opposed the "prevailing rate" as a ground of enhancement. There is ample evidence in the recorded literature on the subject to shew that such a thing as a "prevailing rate" of rent does not exist in any part of the country. Under the law, as it stands, it is admitted that the zamíndárs have been unable to establish a "prevailing rate" in their suits for enhancement on this ground; and the consequence was that, failing proof, they created it fictitiously. The result has been demoralizing and very injurious to the raiyats, and I am afraid that the Select Committee, though animated by the very best intentions, has not provided any positive safeguard against the mischievous tendencies to which I have referred. On the contrary, their proposals on the subject will probably facilitate enhancements up to the *average* of rates prevailing in the village, and will thus place a much stronger power for enhancing rents in the hands of the zamíndárs than the present law permitted or ever contemplated.

Thirdly, the Bill as it leaves the Committee almost entirely abandons the non-occupancy-raiyat and the under-raiyat. They are practically unprotected, and such a result appears to me to be contrary to the intention with which the legislation on the rent question was undertaken, and contrary to the conclusions of authoritative opinion that the growth of the right of occupancy, as tending to establish a substantial peasantry, should be encouraged and advanced.

Lastly, the loss of the limitation of the maximum rent to one-fifth of the gross produce is a serious loss, specially as it affects the non-occupancy and under-raiyats. The pro-

posal to limit rents to a fraction of the gross produce in staple food-crops did not originate with me, though I accepted it and suggested the particular fraction of one-fifth. Indeed, had my views been approved in regard to the abolition of the "prevailing rate" as a general ground of enhancement, and in regard to the protection of the non-occupancy-raiyat, I should not have placed the stress I now do on the gross-produce limit. But as the majority of the Select Committee have rejected, one by one, every effectual check on rack-renting adopted by the Government of India in the original Bill, as they have also rejected the equivalents for those checks advocated by me without themselves proposing any substitutes, it seemed to me that the only hope of escape from the danger of a Bill for the unlimited enhancements of rent lay in a recurrence to the proposal made by the Government of India in their first Bill to limit rents to a share of the gross produce. I am, of course, conscious of the objections to which such a gross-produce limitation is open as a matter of theory; but theory and practice do not always coincide, and practically a gross produce limit on rents is indigenous to this country, had been asked for by the landlords, and recommended by the ablest among my predecessors. My views on the subject are not shared by a majority of the Committee, and the proposal fell to the ground. I have always admitted that in some Bengal districts the tenantry can well afford to pay higher rents, and I have endeavoured to provide landlords with reasonable facilities for enhancement. But in Behar rents are already too high, while there are many parts of Bengal in which rents are also excessive. Taking Bengal and Behar together, I cannot contemplate without anxiety a legislative measure whose tendency is to promote, without an ultimate check, a further increase of those rents.

I had hoped that the legislation now in hand, and which has been the subject of discussion and consideration of no less than four Lieutenant-Governors of Bengal, would have carried with it some measure of finality. In its present outcome it seems to me impossible to accept this Bill as a final settlement of the chief questions connected with a Tenancy Bill in the Lower Provinces of Bengal.

RIVERS THOMPSON.

The 12th February, 1885.

Memorandum of dissent from the decisions of the Select Committee on the Tenancy Bill.

ALTHOUGH I think the Bill as it now leaves the hands of the Select Committee an improvement on the Bill submitted to it for amendment, it still contains certain provisions with reference to which I differ with the majority in opinion, and on these points I would beg to record my dissent.

1. I object to the omission of the words "and the whole or part of it is sub-let" from section "5", sub-section "5". The word should be again inserted or the whole of the sub-section omitted.

Under the Bill a tenure-holder is a tenant "who has acquired a right to hold land for the purposes of collecting rents or bringing it under cultivation by establishing raiyats on it." A raiyat, is a person "who has acquired land for the purpose of cultivating it himself or by hired labour."

I cannot understand on what grounds the majority of the Committee deemed it necessary to over-ride the essential difference in the nature of the two tenancies, and to declare that all persons holding more than 33 standard acres of land shall be presumed to be tenure-holders until the contrary is proved.

To me it appears that the first and only enquiry to be made is whether the tenant cultivates it himself or sub-lets the whole or a portion of it. If he cultivates it himself it should be presumed that he is a raiyat until the contrary is proved. If he sub-lets a portion of it, it should be presumed that he is a tenure-holder, until he proves that he originally acquired the land for cultivating purposes, and that the tenants who hold under him are sub-tenants.

Our efforts in this instance should be confined to strengthening the position of the actual cultivators of the soil.

2. I dissent from the decision of the majority of the Select Committee to omit transferability from among the incidents attached to an odenpaucy-holding.

I have already exhausted every argument I can think of to induce the Government and the Committee to legalize and control transfer and failed to gain their support, it is unnecessary to recapitulate them here, I will therefore only record my dissent.

3. *Section 18, Chapter 3.*—The provisions of this chapter should be confined to mocrarreec holdings, holdings admitted by the landlord to be held at fixed rents, and holdings the rents of which have been declared fixed in perpetuity under decrees of competent Courts. If this is not allowed, sections 15 to 22 of Bill No. 2 should be again inserted in the Bill in place of sections 12 (3) and 13.

All raiyati holdings acquired for the purposes of cultivation whether held at a fixed rent or at a rent subject to enhancement, should only be used for the purpose for which they were acquired, *viz.*, for the purposes of cultivation, and for the growth of crops. There can be no sufficient reason for allowing an ordinary cultivator to be ejected from his holding if he uses it in a manner to render it unfit for the purposes of the tenancy and at the same time to allow raiyats at fixed rates of rent to do, as they think right with the land even to destroying it whatever the rate of rent may be, whether subject to periodical enhancement or not, the purpose for which the land was originally acquired was the same in both instances and should remain so.

If the provisions of the chapter were confined to admitted rights, the injury to the landlord would be lessened, as they stand in the Bill, in every instance that a landlord sues under section 25 (a), the provisions of this chapter will be pleaded to debar suit.

If the above suggestions were adopted, it would not inflict any hardship on the tenant; if the tenant claiming to hold at fixed rates, but whose rights had not been admitted wished to avail himself of the privileges allowed him under this chapter, all he need do is to apply under section 157, to have the nature of his tenancy declared previous to availing himself of them.

If the operation of this chapter is not confined to mocrarreec holdings, and holdings the rents of which have been declared fixed by a competent Court, sections 15 to 22 of Bill No. 2 should be again inserted in the Bill, or the landlord will be compelled to bring a suit to set aside every conveyance in which the holding is incorrectly described as a holding at fixed rates, when he receives notice of transfer.

4. The restrictions placed on voluntary enhancement under section 29, will have the effect of compelling the landlord to exact every pice of rent the law will permit him to demand, it prohibits all enhancement out of court, or it will induce the parties concerned to resort to deception and fraud to evade the payment of the heavy costs entailed upon them in a heavy law suit for enhancement of rents, they will fight it out to the bitter end or lie.

5. Section 35 I consider superfluous we have throughout the Bill directed the Courts to decree only fair and equitable rents, therefore to tell the Courts that they shall not decree unfair and inequitable rents is unnecessary. With an experienced judge it will have no weight but an inexperienced judge may attach undue importance to it and in doing so do substantial injustice to one of the parties concerned.

6. Under sections 48 and 49 we have effected too little for the protection of the sub-tenant, the actual cultivator of the soil.

The sub-tenant holding under a registered lease is, I think, amply protected short of allowing him to acquire occupancy-rights in the land, the Committee have gone as far as it is possible to go without encroaching on the rights of others, but the sub-tenant who holds under a verbal agreement or an agreement which cannot be accepted as evidence under the law is not sufficiently protected. I would wish to see the sub-tenant receive the same protection against hasty eviction, rack-renting, &c., as is afforded the non-occupancy-ryyat under the Bill.

7. Section 50 is an improvement on section 64 of Bill No. 2, but it does not go far enough. I am of opinion that the suggestions made in the Bengal Government letter of September, 1884, that the presumption should run from 20 years previous to the introduction of the suit, should be adopted, my reasons for wishing it so I stated in my dissent on the Bill No. 2, therefore need not repeat them here.

8. The penal clauses 59, 74 and 185 require modification as they stand, they will be harsh in their operation and may be used solely for the purpose of giving the landlord annoyance.

9. Section 89—2 prohibiting the landlords measuring lands oftener than once in ten years will have the effect of encouraging encroachments. As the landlords are prohibited from bringing suits for enhancement oftener than once in 15 years there is no necessity for this prohibition and the right to do so will, in all instances, be useful to them to test encroachments.

10. Section 138 limits the area of the landlords zeraut or home cultivation to all land held by him as such for 12 years continuously "previous" to the introduction of the Act, thereby preventing him from acquiring any more land as zeraut after the passing of the Bill.

It does not prevent his cultivating more land as home cultivation, but if he once lets it out of his possession, lets it to another person for one season, he will lose his rights in it for ever.

I think the period he is required to hold it for, in order so acquire zerant rights in the land should run for a period of 12 years before or after the Act is introduced.

11. Section 173 contains a new provision in law, it permits a judgment-debtor to recover possession of his holding 30 days after it has been sold by decree of Court by paying in the amount of the decree.

I object to it as I think it will have an effect contrary to what is intended.

It will deter would-be purchasers from bidding, thereby allowing holdings to be sold for one quarter their value.

It will encourage hangers on about the Courts to make speculative purchases.

And last not least it will induce the judgment-debtors to be careless in the due payment of their debts.

T. M. GIBBON.

12th February, 1885.

Dissent.

I REGRET I cannot concur with many of the decisions arrived at by the majority of the Select Committee. It seems to me that we have failed to achieve some of the principal objects of the Bill, and that the modifications which the measure has undergone, whilst securing to the landlords substantial advantages, have left the raiyats as defenceless as before.

The Bill was introduced in Council with certain well-defined objects which were of a two-fold character, namely (1) to give reasonable security to the peasant in the occupation and enjoyment of his land; (2) to give reasonable facilities to the landlord for the settlement and recovery of his rent. In order to attain the first object, it was proposed to make the following changes in the existing system:—

- (1) to extend to permanent cultivators, holding land in a particular village or estate, the right to hold that land on payment of a fair rent;
- (2) to make occupancy-rights transferable;
- (3) to introduce a fixed maximum limit for the enhancement of rents; and
- (4) to provide some efficient guarantee to non-occupancy-raiyats against *arbitrary* eviction and *arbitrary* enhancement of rents. As regards the first object, the proposal, no doubt, has been maintained with some modification. But this has certainly not been the case with the others, and I must confess to a feeling of disappointment at the withdrawal of most of those provisions which were from time to time introduced to secure these objects.

The free transfer of occupancy-holdings was, if I may so call it, the keystone of the measure. The custom had grown up in various parts of Bengal and was gradually extending itself to the entire province. Excepting those places where the presence of a foreign element predominated and caused some degree of friction between landlords and raiyats, the tenants who enjoyed the right of free transfer were admittedly more prosperous and better able to withstand the periodical shocks of scarcities and famines. It was admitted that, during the years immediately preceding the introduction of the measure in Council, the evidence in favour of the extension of the right of transferability had accumulated considerably. It was accordingly proposed to give a statutory sanction to that right. With reference to Behar, however, a doubt was entertained by the Government of Bengal, and my own knowledge of the circumstances of that province induced me last session to bring forward a proposal to withdraw Behar from the operation of the provision. That proposal, however, was not approved of, and it was resolved to give the right to all occupancy-raiyats throughout Bengal and Behar. During the present session, the provision has been dropped entirely from the Bill. Whilst agreeing to the advisability of leaving to custom the right of free transfer in Behar, I consider that as regards Bengal it would have a mischievous tendency. In every place, even where the right has been freely exercised, such as the Presidency, Rajshahye, Dacca, and Chittagong Divisions, the custom will be disputed, with the result that a large portion of the consideration money will pass either into the hands of the landlords or their servants. It would have been far better to recognize transferability throughout Bengal Proper, subject, if necessary, to the payment by the raiyat of a graduated scale of fees upon the consideration money, than to have left it to custom, which I fear will henceforth be disputed in every instance, to the serious prejudice of the tenant in the exercise of his right. With the safeguards which the Bengal Government proposed to attach to the recognition of the right in Bengal Proper, no injury to the landholding interests need have been feared. I think the mode in which the question has been discussed and decided is likely to produce mischief. Had the question not been raised, this mischief might have been avoided.

2. From the very inception of the Bill, it was considered necessary to introduce a maximum limit on rents. In many parts of the province it was proved by the stern testimony of facts that the enhancement of rent beyond a certain limit implied starvation to the cultivators of the soil, and that any endeavour to exact rent beyond that limit ended in failure to the landlord or distress to the tenant. In the interests of the landholding classes themselves it was proposed to provide a check to the system of rack-renting which many of them were disposed to adopt. The East Landholders Association and the late Bábu Kristodás Pál both proposed a gross produce-limit—the former one-fifth as the highest limit of enhancement which the zamindárs thought proper to demand, the latter one-fourth. The important question to determine was what proportion should the raiyat be left in enjoyment of after payment of his rent? If experience and the collective evidence of competent observers are of any account, it is clear that the raiyats in Bengal can hardly pay for rent more than one-fifth of the gross produce without trenching upon the bare means of subsistence. If in some places the *jamábandis* shew a higher rent, the question remains is the raiyat ever

able to discharge his liability? Among other evidence, that recently supplied by the Board of Revenue as the result of its experience of wards' estates furnishes a negative answer to this question. It certainly cannot be the interest of anybody to leave the raiyat a bare subsistence. Whatever the proportion it may have been considered desirable to adopt, a gross produce-limit appeared to me the most satisfactory and most feasible of all the proposals brought forward to prevent rack-renting. The adoption of this limit would have also enabled the legislature to give some degree of protection to the large body of non-occupancy and under-raiyats who are now practically left without any protection. The withdrawal of the fractional limit upon enhancements in Court is in my opinion likely to prove injurious to the raiyats.

3. I consider the ground of enhancement on the basis of "prevailing rates" as open to serious objection. It introduces, in the form it has now assumed in this Bill, an entirely novel principle into the law of Bengal. The law has hitherto not recognized enhancements up to the average of rates payable, and it seems to me that the recognition of such a principle is not only dangerous, but, without any correlative ground of reduction, unjust. It will end in screwing up rents to the factitious average of a large number of rates, over the correctness or reality of which no individual raiyat has any control, and that average will furnish the basis for a fresh increase until the highest possible rate is reached.

4. Enhancement on the ground of increase in the price of staple food-crops is to my mind economically indefensible. When the price of food-crops increases, the price of other necessary articles also increases. Is it fair or reasonable to constitute a rise in the price of staple food-crops as a ground of enhancement when a hundred other circumstances, like the increasing cost of production, increasing cost of the bare necessities of life, &c., tend to show that the raiyat of to-day in the majority of instances is not a whit better off than the raiyat of twenty years ago? Let us take for example an instance (which is not uncommon in Bengal), of a raiyat whose holding is fit for growing, say cotton, and whose cultivation, owing to a fall in the cotton-market, has diminished in value. As the Bill stands such a raiyat would, notwithstanding his contracted ability to pay enhanced rent, be still liable to enhancement should the price of food-grains have risen. In other words, although he gets less for his crop and has to pay more for his food, he is still liable to have his rents increased. I cannot help thinking that the Select Committee have failed to realize the full effects of this ground of enhancement, and I would strongly urge that the old ground of enhancement on the basis of net values should be reverted to.

5. The Bill provides no efficient safeguard against the ejectment of a non-occupancy raiyat to prevent the possibility of his acquiring an occupancy-right.

6. I am not able to understand the object of the factitious difference which has been created between under-raiyats holding under registered sub-leases, and under-raiyats holding verbally or under an unregistered lease. The system of sub-letting is interwoven with the agricultural economy of the country, and the Committee at a very early stage recognized the inexpediency of introducing any provision in the Bill interfering with it. Considerable protection has been given to planters and capitalists taking lands for purposes of indigo cultivation from the raiyats under registered sub-leases. No protection, however, is given to the mass of under-raiyats. It is said that these may secure to themselves the same rights by simply taking registered leases; but it must be remembered that the majority of the under-raiyats are poor to the verge of starvation, and that they are not in a position to demand registered leases.

7. I demur, also, to the provision embodied in the Bill regarding *utbandi* tenures. This provision seems to me to be in direct contradiction to the views of the Secretary of State and the Government of India, that "shifting" should be put an end to. The *utbandi* provisions recognize and legalize the eviction of a raiyat at the mere caprice of the landlord. I had no objection to the proposals of the Bengal Government, to allow land held on the *utbandi* system to be a matter for contract; but I have strong objections to the *utbandi* raiyat being left, as this Bill leaves him, without any practical protection whatsoever.

These are the main and essential points on which I differ from my colleagues; but there are various minor details with reference to which, also, I cannot agree with them.

8. On the whole I regret to think that a measure from which so much was expected should prove so inadequate in its general result. The guarantees to which the raiyats had laid claim, as well on constitutional grounds as on those of equity and expediency, have been either withheld or only partially conceded. Between contending claims the Bill does not in my opinion strike a just balance, and it seems to me that unless some further modifications are made in the direction which I have indicated, it will not answer the purpose of definitely setting at rest the disputes between landlord and tenant in Bengal.

AMIR ALI.

MINUTE.

I signed the preliminary Report of the Select Committee last year, on the understanding that I postponed the expression of my opinion on certain questions until the submission of the final Report to Council. Some of the sections to which I then objected have, during the subsequent revision, been removed from the Bill, others have been modified, and I now confine my remarks to four principal points. I desire, however, at the same time to record in general terms my hesitation in regard to several other provisions in the Bill. For the Select Committee has been asked to deal with the entire relation of landlord and tenant in Bengal, without being furnished with any body of cross-examined evidence to guide its deliberations. Opinions and statements, often conflicting and sometimes contradictory, have been furnished to it in large numbers. But it has not had the means of ascertaining which of these opinions and statements would have borne the test of cross-examination, or how far their discrepancies might have been reconciled. Absence of such data is the more to be regretted in a measure affecting land-right in Bengal; for in Bengal almost alone among the Provinces of India, there is no central department of statistics, and until quite recently there was no agricultural bureau, which might in some measure have compensated for the evidence of witnesses heard in the Districts. But, while I regret the defective method of enquiry originally adopted, I acknowledge that, at the stage which the measure had reached when the Bill came before the Select Committee, the time for an effective local enquiry had gone past. The Committee heard the views of several gentlemen in Calcutta on two minor points, but no body of evidence has been collected in the Districts and subjected to cross-examination. The result has been to leave in my mind an extreme uncertainty in regard to several important classes of rights with which the Bill deals.

Coming to specific grounds I object, in the first place, to the application of one set of minute provisions for the regulation of rent, to two Provinces in which the relation of landlord and tenant is so widely dissimilar as in Bengal and Behar. [Section 1 (3).] The statements before the Committee show that in Behar, owing to over-population and to the consequent competition for land, the difficulty is to secure a sufficient share of the crop to the cultivator; while throughout large areas in Bengal the difficulty is for the landlord to realise his rent. Yet the fundamental differences between Bengal and Behar find no recognition in the Bill. The effect of this has been, in my opinion, to increase the difficulty of making effective provision for either Province. Thus in regard to perhaps the most important question dealt with in the Bill, namely, the restrictions to be placed on enhancement of rents, the Bengal Government declared that to limit rents to one-fifth of the gross-produce was a necessity for Behar, while the imposition of that limit was found indefensible for Bengal. The one-fifth limit has accordingly been dropped, and minor restrictions have been introduced. It seems doubtful to me whether some of these minor restrictions do not go further than is warranted by the facts in Bengal; and it is more than doubtful, considering the statements made on behalf of the Bengal Government, whether these restrictions will meet the necessities of Behar.

I object, in the second place, to the discouragement which the Bill places on the reclamation of waste lands by proprietors at their own expense. Important provisions in the Bill rest on considerations arising out of the pressure of the population on the soil, and on the necessity of protecting the cultivator against the monopoly in land which is thus conferred on the landlord. The most direct remedy for this state of things is to increase the area available for cultivation. Yet the Bill not only gives no new inducement to landholders to reclaim wastes, but places discouragements, which did not exist under the previous law, upon their doing so. As regards lands brought under cultivation by means of reclamation leases, the landlord will be in a rather worse position than before; for the occupancy-right will now commence to accrue to the tenants during the currency of such leases, and it may be enforced immediately on their expiry. As regards lands brought under cultivation by the landlord himself, by means of hired labour, he is in a much worse position than before. Henceforth the landlord who cuts down heavy jungle, or digs tanks, or drains swamps at a large outlay, by means of his own servants, will, under the provisions of the Bill, begin to lose the occupancy-right in the reclaimed land as soon as he lets it out to tenants. If the landlord lets the reclaimed fields to a settled raiyat of the village, the tenant acquires the occupancy-right the moment he enters on the land: if the landlord lets the reclaimed fields to any other raiyat, the title to occupancy-rights immediately begins to accrue. In no case will the landlord be permitted, by special contract in his lease, to bar the growth of occupancy-rights in land which he has reclaimed by his own servants at his own expense. Considering the pressure of the people on the cultivated soil, and the existence of large un-reclaimed tracts within a few days' walk of centres of congested population, I think it impolitic to place any new discouragements on efforts to add to the cultivated land. Considering that the Bill, in order to deal with the evils of over-population, restricts the former rights of the landholders, I think that such discouragements are not only impolitic but unjust. I purpose, therefore, to move amendments in Council, which will have the effect of protecting a landlord who reclaims at his own expense *bona fide* waste lands, against the

growth of occupancy-rights in those lands during a reasonable period to recoup his outlay, say for thirty years.

In the third place, I object to certain of the provisions for the enhancement and reduction of rents on the ground of a rise in prices [section 39]. The Bill substitutes for an old and a scarcely workable ground of enhancement, namely, a rise in the value of the produce, a much more simple ground, namely, a rise in the prices of staple food-crops. The latter contention would in any case be more easily susceptible of proof. But the Bill further simplifies the burden of proof, by directing that the Courts shall be guided by certain lists of prices to be published in the official Gazette. These lists are to be of two kinds; one set of lists are to record current prices in the future, the other set refer to prices in the past. A new and sharp weapon of enhancement is thus placed in the hands of the landlord; but, subject to conditions on its application imposed by the Bill in favour of the tenants, I believe it to be a fair ground of enhancement. The weapon is two-edged; it cuts against the tenant as a means of enhancement if prices have gone up, and against the landlord as a ground for the reduction of rent if prices have gone down. It is obvious, however, that as the Bill entrusts the Local Government with the duty of supplying the evidence, it should take reasonable guarantees that the evidence thus supplied shall be good evidence. The draft Bill of last year provided that all the price lists officially published, should be conclusive evidence. The Bill as now finally settled directs that the Courts shall presume that the facts stated in the lists are correct in less and until it is proved that they are incorrect; thus giving the value of presumptive evidence to both the sets of lists.

I believe that the lists to be prepared for current prices in the future, under the safeguards provided by the Bill, will merit this degree of credibility: but that the lists, purporting to record prices in the past, do not. This latter class of lists will have to be compiled, *ex post facto*, for a period running back ten or fifteen years, from certain price-lists which were collected at a time when adequate safeguards were not taken to secure their accuracy, and when the effective safeguards now provided by the Bill for future price-lists were not thought of. At the period of their collection, moreover, it was never contemplated to give to them the value of conclusive or presumptive evidence in the Courts. I have examined some of the old lists. I do not think that they afford a safe basis for a recompilation which should be accepted by the Courts either as conclusive or presumptive evidence of prices in the past. They are valuable concurrent evidence, taken together with the evidence to be derived from the business books of grain-merchants, zamindars, and dealers in export produce. I do not think that lists to be mainly compiled from them should now have a greater weight than the original lists would have had under the Evidence Act. I propose, therefore, to move an amendment which will have the effect of leaving the value of presumptive evidence to the lists prepared for current prices in future, but withdrawing that value from the lists to be compiled for prices in the past.

In the fourth place, while not dissenting from the powers granted by section 112 to the Local Government, in certain exceptional circumstances, to reduce rents, I wish to place on record the hesitation with which I have agreed to that provision. The exceptional circumstances contemplated are when the Government has to intervene between landlord and tenant, "in the interests of public order or of the local welfare." On the one hand, the experience of the past, and the statements which have been made in regard to the future, seem to render it expedient that this power should, under due safeguards, be accorded to the Local Government. The Bill, in requiring that the previous sanction of the Governor General in Council must be obtained, provides due safeguards. On the other hand, I do not think that a general disruption of contracts between landlord and tenant, such as is involved by a reduction of rents on a large scale, should be effected by any authority of a less deliberative character than the Legislature itself. If, therefore, it ever becomes necessary to apply this clause to a considerable area, I hope that the process will be conducted under, or receive effect from, an express Act. It is in this hope that I have agreed to the provision in the present Bill.

I have thought it my duty to place on record objections to specific provisions of the Bill, and to mention in general terms my uncertainty in regard to several important classes of rights with which it deals. I ought, therefore, to state clearly that I believe the Bill, taken as a whole, makes substantial improvements on the existing law, and that, where it alters that law, the changes are, with certain exceptions, expedient and just.

W. W. HUNTER.

Dissent.

I DISSENT from this Report, because I am not satisfied that the Bill, as amended by the Select Committee, affords that effectual protection to the raiyat which the measure, as introduced into the Council, was intended to give. What the nature of that protection was, and on what grounds it was thought necessary, can readily be learnt from the Statement of Objects and Reasons, and from the speech delivered in Council on the 2nd March, 1883, by the Hon'ble Member who introduced the Bill. It was the intention of the Bill to secure to the occupancy-raiyat fixity of tenure, fair rent and free sale. The Bill accordingly declared, *first*, that every settled raiyat should have a right of occupancy throughout the village or estate in which he held land at the date of the introduction of the Bill; *secondly*, that his rent should never exceed one-fifth of the value of the gross produce of the land in staple crops; *thirdly*, that he might transfer his holding at his pleasure, subject to a right of pre-emption on the part of the landlord, and that the landlord's purchase of the holding should not extinguish the occupancy-right, but that the right should revive as soon as the land was let to another tenant. The interests of the non-occupancy-raiyat were not less carefully guarded. "Tenants of this class", said the Hon'ble Member who introduced the Bill, "should not be exposed to arbitrary rack-renting and eviction at the hands of their landlords, and the acquisition by them of the status of settled raiyats should be facilitated in every possible way." The Hon'ble Member quoted with approval a remark made by Sir Ashley Eden, that "no raiyat should be evicted from his fields on any ground save persistent failure to pay a fair and reasonable rent". In accordance with these principles, the Bill prescribed a maximum limit of rent for the non-occupancy-raiyat; it did not allow him to be ejected on the ground that the term of his lease had expired; and it provided that, if he were ejected for refusing to agree to an enhancement demanded by the landlord, he should be entitled to receive compensation for disturbance.

Such was the Bill which was introduced into the Council, and which was referred to the Select Committee. It was drawn with a full recognition of the character and the gravity of the evils which it was designed to remedy. "What we hope for" (said the Hon'ble Member who introduced the Bill) "is, first, that a stop may be put to the vigorous efforts which are at present being made by landlords in some parts of the country to withdraw land from the operation of the occupancy-right by preventing the natural growth of a fresh occupancy-right in the place of an old right which has determined; and secondly, that where occupancy-rights do, as a matter of fact, exist, the proof of their existence may be a matter of less difficulty than it is at present to the ignorant and helpless raiyat". In speaking of the necessity for legislation, and of the kind of legislation required, the Hon'ble Member re-produced a striking passage from the Report of the Famine Commission. "We have received" (the Famine Commissioners wrote) "a large amount of evidence, remarkable in its weight and unanimity, to the effect that in the Bengal Province the relations of landlord and tenant are in a specially unsatisfactory condition. We feel no doubt that the condition of the rent-law and the way in which it is administered in Bengal are a very grave hindrance to its agricultural prosperity, and that large portions of the agricultural population remain, owing mainly to this cause, at all times dangerously near to actual destitution, and unable to resist the additional strain of famine. We can feel no doubt that in all the provinces of Northern India, and particularly in Bengal, it is the duty of the Government to make the provisions of the law more effectual for the protection of the cultivators' rights. * * * It is only under such tenures as convey permanency of holding, protection from arbitrary enhancement of rent and security for improvements, that we can expect to see property accumulated, credit grow up, and improvements effected in the system of cultivation. There could be no greater misfortune to the country than that the numbers of the occupancy-class should decrease, and that such tenants should be merged in the crowd of rack-rented tenants-at-will, who, owning no permanent connection with the land, have no incentive to thrift or to improvement. It is desirable for all parties that measures should be framed to secure the consolidation of occupancy-rights, the enlargement of the numbers of those who hold under secure tenures, and the widening the limits of that security, together with the protection of the tenant-at-will in his just rights, and the strengthening of his position by any measure that may seem wise and equitable."

These, I repeat, were the principles upon which the Bill was based, and these objects would have been effectually secured by the Bill as originally introduced into Council. In the amended Bill, fixity of tenure is weakened by the limitation of the definition of a settled raiyat to the village alone; fair rent is deprived of the safeguard (the only ultimate safeguard) of a maximum limit beyond which rent can never be enhanced; and free sale has disappeared altogether from the Bill, or survives only in a section which saves customary rights. The non-occupancy-raiyat has fared even worse, at the hands of the Select Committee, than his occupancy brother. The gross produce limit of his rent is struck out; he is declared liable

to ejectment on the ground that the term of his lease has expired; if he refuses to agree to any enhancement demanded of him, he cannot claim a judicial rent for a longer period than five years; and he may be ejected at any time before he has acquired a right of occupancy without obtaining any compensation for disturbance.

It will possibly be said that these alterations, sweeping as they may seem to be, are counterbalanced by other changes which have been made in the Bill, and that, when the account on both sides is fairly summed up, it will be seen that the objects of the original measure have substantially been attained. Let us consider how far this is the case as regards each of the two great classes of raiyats, and, first, as regards the occupancy-raiyat.

It must be admitted that transferability, or the right of free sale, is not an essential provision of the Bill. I believe that (in Bengal at any rate) it might usefully and safely have been conceded; but there were arguments in favour of a different conclusion, and it was open to the Select Committee to decide that transferability would not have the effect of either strengthening or extending the occupancy-right. I do not therefore desire to lay any stress on the abandonment of this provision.

With regard to fixity of tenure, the elimination of "the estate" from the definition of the settled riyat is, I think, much to be regretted. If no middle course could be found, the Committee had to decide between a definition which might, in a few exceptional cases, entail a slight hardship on the landlord, and a definition which could easily be worked so as to produce, in a multitude of cases, a grievous wrong to the tenant. On this point the decision of the Committee was, in my opinion, a lamentable mistake. At the same time I admit that, as regards fixity of tenure, the position of the occupancy-raiyat is somewhat stronger under the amended Bill than under the present law, and that this object of the Bill has been partially, though still imperfectly, attained.

Fixity of tenure, however, without fair rent is worse than useless, and in the matter of fair rent the Bill signally fails to afford the occupancy-raiyat reasonable protection. He is protected, under the existing law, by the fact that the enhancement provisions of the Act now in force have proved to be unworkable. Such a condition of things is a public scandal, and the Select Committee rightly resolved that just claims to enhancement should no longer be baffled by the uncertain wording or the complicated conditions of the law. But the Committee seem to have overlooked the danger of enlarging the facilities for the use of the enhancement sections without also taking precautions to guard against the abuse of them. The Bill puts enormous powers of enhancement into the hands of the landlords. The sections relating to enhancement on the ground of the prevailing rate have been re-cast in a form which will practically allow the landlord to raise the rent of every riyat in the village to the highest rate which he can persuade or compel any one to pay. In suing for enhancement on the ground of a rise in prices, the landlord will find the evidence, which it has hitherto been impossible for him to adduce, provided by Government ready to his hands. He will have nothing to do but to lay before the Court the official price-lists, and a decree in his favour will follow as a matter of course.

The feeble palliatives which the Bill provides are impotent to restrain the evils which the working of the enhancement sections is calculated to produce. It is declared that no enhancement shall be decreed in excess of what is fair and equitable; that the rent of a riyat shall not be enhanced at intervals of less than 15 years; and that, in extreme cases, the Government of India may interpose, and may depute an officer, not, as usual, to enhance rents, but to reduce them. The first of these provisions may occasionally be of use in tempering the rigour of the law, but it is of too vague and indeterminate a character to afford any adequate protection. The second will make the pauperizing process more gradual, but not less certain or complete. And what shall we say of the third? Where is the wisdom of enacting a law the natural operation of which may produce a state of things which will require the law to be not merely suspended, but reversed? But in truth what is most to be feared is not such outrageous oppression as would call for the interposition of Government under this special provision of the Bill. What is most to be feared is that the gradual and steady operation of the enhancement sections will be a permanent bar to all improvement in the condition of the occupancy-raiyats. They will have no inducement to raise larger crops or to cultivate more valuable products, for they would be toiling for the benefit, not of themselves, but of their landlords. The machinery of this Bill they can neither resist nor evade.

These evil consequences would have been avoided, if the Select Committee had accepted two of the recommendations of the Government of Bengal. That Government desired, first, to restrict enhancement on the ground of the prevailing rate to those individual cases which it was originally intended to meet, and secondly, to prescribe an absolute limit beyond which no claims to enhancement should be allowed. The Government of Bengal saw that, if the landlord's demand were restricted to one-fifth of the gross produce in staple crops, rack-renting would be effectually stopped, the cultivation of the more valuable crops would be encouraged, and the agricultural advance of the country would be ensured. Unhappily, these views were not accepted by the majority of the Select Committee, and the amended Bill leaves the occupancy-raiyat without any adequate security in the matter of fair rent.

But these opinions and the opinions of experienced Subordinate Judges on the operation of the different provisions of the present law have in many cases been undervalued by the majority of the Select Committee and consideration shown for the opinions of much less experienced officers upon a perfectly unsupportable estimate of personal weight. We shall have occasion further on to refer to some of these opinions. As regards the general features of the Bill it appears to us that vested rights of landholders have been interfered with without the sanction either of juridical principles or the formally declared authority of the Executive Council; that rights have been created in favor of one class of subjects and at the uncompensated cost of another class which, to say the least, are of dubious benefit to the country at large, and looking to the large question of growth of population and famine difficulties the changes are simply calculated to augment, rather than relieve, the pressure on Government. The changes proposed to be introduced by the Bill will have the further effect of making, in opposition to well-established principles of Government the judicial administration subordinate to the Executive authorities in many respects. And lastly, the changes alluded to are sure to bring about such an extent of litigation and uncertainty in dealings out of Court, that we shudder to think of the subject barely as inhabitants of the country and apart from our interests as landholders and from our feelings as the representatives of the landholders of Bengal and Behar. By a consensus of opinion, official and non-official, the result of the operation of the present law has been to place the whole body of raiyats in a condition of prosperity superior to what they previously enjoyed, and to what is enjoyed by the corresponding classes of people in any the smallest corner of this immense continent of British India. There would be no objection to that condition being made still better if it could be done without interfering with the welfare of the other classes. But we strongly believe that far from benefiting the tenantry the measure, in its present shape, if put in operation, will effect their ruin as a class, or in any case of the honester and poorer portion of them, by endless and harassing litigation. The very discussion of the measure upon the lines disclosed in the Bill is fraught with dangerous consequences upon the rural economy of the country and the firm social relations between class and class of the subject community, and between all classes and the Government at the head. We shall now proceed to examine some of the objectionable provisions of the Bill in detail.

Section 5. (5)—The rule that whenever the area of a holding exceeds one hundred bighás, the raiyat shall be presumed to be a tenure-holder, is arbitrary and opposed to fact. There are many districts in which holdings, each exceeding a hundred bighás, are not uncommon, but the tenants thereof are raiyats all the same. As no written engagements are usually exchanged, landholders will find great difficulty in rebutting the presumption which this clause will raise, while on the other hand the divisions and sub-divisions created by Hindu and Muhammadan rules of succession will ere long present the spectacle of tenures comprising of only 20 or 30 bighás of land cultivated by the holders thereof.

Sections 8 and 36.—The power given to the Court to direct in the case both of tenure-holders and raiyats, that the enhancement of rent shall be gradual, is novel. As the enhanced rent represents what the landlord is entitled to get, and what the Court considers to be fair and equitable under the circumstances of the case, the provision in question is wholly indefensible. Lord Bramwell truly observed with reference to this provision.—“Now what consideration would influence the Court; I do not know whether if the tenant had got half a dozen children it would be a hardship upon him to have his rent suddenly enhanced I do not know. We do not see how that can be taken into account, indeed, what could be taken into account really under such a clause as that.”

Sections 9 and 37.—The change of the minimum period from 10 to 15 years for which an enhanced rent should obtain currency, is equally arbitrary. Both in the draft Bill of the Rent Commission and the Bill introduced into the Council, the period was 10 years. Although landholders are lawfully entitled to claim enhancement whenever there is a rise in the value of produce and consequent depreciation of the exchange value of money, the limitation of 10 years would be an effectual check to oppressive repetitions of claims for enhancement, but considering the strides the country is daily making in material progress the extension of the period is wholly unwarrantable.

Section 18.—The provision to extend to a raiyat holding at a rent or rate of rent fixed in perpetuity the same rights of transfer and succession that belong to a tenure-holder is wrong in principle. The same considerations which have induced the committee to expunge the sections regarding free sale of occupancy-rights hold good in the case of these raiyats as forcibly as in the case of other occupancy-raiyats. The landholder's objections to a free sale no less than economic considerations in the interests of the raiyats do not lose a particle of their force, whether the raiyat is protected from enhancement or he is liable to pay a fair and equitable

raiyyat who holds at a rent or rate of rent fixed in perpetuity, but whose rent has nevertheless been enhanced by reason of improvements made by his landlord or by reason of his having been found in possession of more land than what he pays rent for? The difficulty would, to a certain extent, be remedied if it were provided, that the provisions of Chapter III should be made applicable only to those raiyyats whose rents are protected from enhancement by a registered lease or judicially declared title.

Section 20 (5).—This sub-section provides that for one year after a man has ceased to hold any land as a raiyya in a village he shall continue to be a settled raiyyat in that village. This is wholly anomalous. A man cannot have ceased to be a raiyyat and still continue to be a raiyyat at one and the same time. The provision contained in Section 87 in respect of apparent and not actual abandonment would be a sufficient protection to the raiyyat in cases contemplated by this sub-section which involves a contradiction in terms.

Section 20, Sub-section 7.—The rule of presumption created by this sub-section is a downright perversion of the law of evidence. Nothing is more easy for a raiyyat who has held land for 12 years than to prove his possession by the production of his rent-receipts. It is not altogether an easy matter for the landholder to prove the negative. Even supposing that there has been no change of hands in the proprietary title, a landholder would be unable to prove his papers if within 12 years there have been changes, as there frequently are, by deaths, dismissal and otherwise, in his collecting agency. The difficulty would be unsurmountable in the case of auction-purchasers who would have no means whatever at their disposal for rebutting the presumption.

Section 21.—The provision contained in sub-section 1, to the effect that a settled raiyyat shall have a right of occupancy in all land for the time being held by him cannot be supported on any considerations which justify the accrual of a right of occupancy. It is no reason that because a man has a right of occupancy in a certain plot of land that the right should extend by possession for a single day to every plot of land that might be let to him. This is directly opposed to the Despatch of the Secretary of State. It is, moreover, a provision which will act injuriously on the settled raiyyats themselves. They will hardly get new lands for cultivation which landholders will take care to let to non-occupancy raiyyats and strangers with a view to prevent the accrual of a right of occupancy.

Section 21 (2).—The effect of the operation of sub-section (2) would be to give a raiyyat a right of occupancy in land which he has held "at any time between the 2nd day of March, 1883, and the commencement of this Act," although such land might have passed to the possession of the landholder or another raiyyat by abandonment, surrender or transfer at some time within that period. Nothing could be a more fruitful source of litigation.

Section 22, Sub-section 1.—This sub-section introduces the doctrine of merger in a matter relating to landlord and tenant not for the purpose of preventing in the spirit of the Ruling reported in 10 Indian Law Reports, Calcutta 45, the acquisition of a right within a superior right, but for the purpose of merging an existing right in the superior right. For reasons explained by Sir Barnes Peacock in a case reported in 10 W. R. 15, this is quite opposed to the system of land-tenures and the condition of the country. The provision is the more objectionable as it saves the right of third parties in the land. The landholder would, therefore, get the land which comes to his possession by purchase, ejectment, abandonment or surrender subject to all the encumbrances created by the out-going tenant. Provisions have been made, it is true, in subsequent sections for defining what would be deemed to be valid encumbrances in different cases, but the language of this sub-section is absolute.

Section 25.—As the provision for a free-sale of occupancy-holdings has been abandoned, this section should provide for ejectment for non-payment of rent. A sale of the holding at the instance of the landholder in execution of a decree for rent would, in every case, heap upon the raiyyat additional costs which the sale proceeds might not cover and would thus entail loss both upon the landholder and the raiyyat. Ejectment would be a simple and effective remedy to the landholder, while the raiyyat would always be able to prevent it whenever his holding is worth more than the amount of the decree.

Section 29 (1).—It might well be taken as an established fact that the price of produce has quadrupled since 1793, and at least doubled within the last 30 years. The productiveness of land has also increased immensely. The restriction which this section imposes upon enhancement by contract to 2 annas in the rupee is therefore most arbitrary. The rule involves a serious infringement of the rights of landholders. The right which the Government of India, when introducing the Bill, assumed it possessed of determining the rates of rent payable by raiyyats to their landlord has, I venture to think, been found to be non-existent. A close examination of it will show it to be wholly unfounded. The question, it is well known, engaged the attention of a Select Committee of the House of Commons in 1832, and the conclusion to which they came after a searching enquiry can hardly be ignored at the present moment. They observed—"unless the Government should either, by public or private purchase acquire the zamindari tenure, it would under the existing Regulations be deemed a breach of faith without the consent of the zamindars to interfere directly between the zamindar and the raiyyat for the purpose of fixing the amount of land tax demandable from the latter under the settlement of 1792-93." The proposed restriction is, however, altogether uncalled for by the circumstances of the country. No evidence whatever has been adduced to show that the raiyyats in any parts of these Provinces are rackrented; all the evidence on the contrary goes to show that landholders have been extremely moderate and forbearing in the matter of settlement of rent with their raiyyats. The ratio which rent bore to the value of annual produce at the

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Sections 8 and 36.—The power given to the Court to direct in the case both of tenure-holders and raiyats, that the enhancement of rent shall be gradual, is novel. As the enhanced rent represents what the landlord is entitled to get, and what the Court considers to be fair and equitable under the circumstances of the case, the provision in question is wholly indefensible. Lord Bramwell truly observed with reference to this provision.—“Now what consideration would influence the Court; I do not know whether if the tenant had got half a dozen children it would be a hardship upon him to have his rent suddenly enhanced I do not know. We do not see how that can be taken into account, indeed, what could be taken into account really under such a clause as that.”

Sections 9 and 37.—The change of the minimum period from 10 to 15 years for which an enhanced rent should obtain currency, is equally arbitrary. Both in the draft Bill of the Rent Commission and the Bill introduced into the Council, the period was 10 years. Although landholders are lawfully entitled to claim enhancement whenever there is a rise in the value of produce and consequent depreciation of the exchange value of money, the limitation of 10 years would be an effectual check to oppressive repetitions of claims for enhancement, but considering the strides the country is daily making in material progress the extension of the period is wholly unwarrantable.

Section 18.—The provision to extend to a raiyat holding at a rent or rate of rent fixed in perpetuity the same rights of transfer and succession that belong to a tenure-holder is wrong in principle. The same considerations which have induced the committee to expunge the sections regarding free sale of occupancy-rights hold good in the case of these raiyats as forcibly as in the case of other occupancy-raiyats. The landholder's objections to a free sale no less than economic considerations in the interests of the raiyats do not lose a particle of their force, whether the raiyat is protected from enhancement or he is liable to pay a fair and equitable rent. The practical operation of the section would, moreover, be productive of the greatest confusion. Every raiyat will claim to hold at a rent or rate of rent fixed in perpetuity, as by so doing he would not only secure to himself a right of free sale, but also protect himself from the conclusion that his rent is liable to enhancement. It would be suicidal on his part to behave himself otherwise than as a raiyat contemplated by this section and thus without any struggle with his landlord to confess himself a raiyat whose rent is liable to enhancement. But what is the Registering Officer, the Court and the Collector to do when a raiyat applies under Chapter III for the registration of a transfer of his holding? Is the Registering Officer or the Collector to enquire and decide in every such case whether the holding is protected from enhancement, or is he to exercise an arbitrary discretion in the matter? Again, is the section to apply to a

raiyat who holds at a rent or rate of rent fixed in perpetuity, but whose rent has nevertheless been enhanced by reason of improvements made by his landlord or by reason of his having been found in possession of more land than what he pays rent for? The difficulty would, to a certain extent, be remedied if it were provided, that the provisions of Chapter III should be made applicable only to those raiyats whose rents are protected from enhancement by a registered lease or judicially declared title.

Section 20 (5).—This sub-section provides that for one year after a man has ceased to hold any land as a raiya in a village he shall continue to be a settled raiyat in that village. This is wholly anomalous. A man cannot have ceased to be a raiyat and still continue to be a raiyat at one and the same time. The provision contained in Section 87 in respect of apparent and not actual abandonment would be a sufficient protection to the raiyat in cases contemplated by this sub-section which involves a contradiction in terms.

Section 20, Sub-section 7.—The rule of presumption created by this sub-section is a downright perversion of the law of evidence. Nothing is more easy for a raiyat who has held land for 12 years than to prove his possession by the production of his rent-receipts. It is not altogether an easy matter for the landholder to prove the negative. Even supposing that there has been no change of hands in the proprietary title, a landholder would be unable to prove his papers if within 12 years there have been changes, as there frequently are, by deaths, dismissal and otherwise, in his collecting agency. The difficulty would be insurmountable in the case of auction-purchasers who would have no means whatever at their disposal for rebutting the presumption.

Section 21.—The provision contained in sub-section 1, to the effect that a settled raiyat shall have a right of occupancy in all land for the time being held by him cannot be supported on any considerations which justify the accrual of a right of occupancy. It is no reason that because a man has a right of occupancy in a certain plot of land that the right should extend by possession for a single day to every plot of land that might be let to him. This is directly opposed to the Despatch of the Secretary of State. It is, moreover, a provision which will act injuriously on the settled raiyats themselves. They will hardly get new lands for cultivation which landholders will take care to let to non-occupancy raiyats and strangers with a view to prevent the accrual of a right of occupancy.

Section 21 (2).—The effect of the operation of sub-section (2) would be to give a raiyat a right of occupancy in land which he has held "at any time between the 2nd day of March, 1883, and the commencement of this Act," although such land might have passed to the possession of the landholder or another raiyat by abandonment, surrender or transfer at some time within that period. Nothing could be a more fruitful source of litigation.

Section 22, Sub-section 1.—This sub-section introduces the doctrine of merger in a matter relating to landlord and tenant not for the purpose of preventing in the spirit of the Ruling reported in 10 Indian Law Reports, Calcutta 45, the acquisition of a right within a superior right, but for the purpose of merging an existing right in the superior right. For reasons explained by Sir Barnes Peacock in a case reported in 10 W. R. 15, this is quite opposed to the system of land-tenures and the condition of the country. The provision is the more objectionable as it saves the right of third parties in the land. The landholder would, therefore, get the land which comes to his possession by purchase, ejectment, abandonment or surrender subject to all the encumbrances created by the out-going tenant. Provisions have been made, it is true, in subsequent sections for defining what would be deemed to be valid encumbrances in different cases, but the language of this sub-section is absolute.

Section 25.—As the provision for a free-sale of occupancy-holdings has been abandoned, this section should provide for ejectment for non-payment of rent. A sale of the holding at the instance of the landholder in execution of a decree for rent would, in every case, heap upon the raiyat additional costs which the sale proceeds might not cover and would thus entail loss both upon the landholder and the raiyat. Ejectment would be a simple and effective remedy to the landholder, while the raiyat would always be able to prevent it whenever his holding is worth more than the amount of the decree.

Section 29 (1).—It might well be taken as an established fact that the price of produce has quadrupled since 1793, and at least doubled within the last 30 years. The productiveness of land has also increased immensely. The restriction which this section imposes upon enhancement by contract to 2 annas in the rupee is therefore most arbitrary. The rule involves a serious infringement of the rights of landholders. The right which the Government of India, when introducing the Bill, assumed it possessed of determining the rates of rent payable by raiyats to their landlord has, I venture to think, been found to be non-existent. A close examination of it will show it to be wholly unfounded. The question, it is well known, engaged the attention of a Select Committee of the House of Commons in 1832, and the conclusion to which they came after a searching enquiry can hardly be ignored at the present moment. They observed—"unless the Government should either, by public or private purchase acquire the zamindari tenure, it would under the existing Regulations be deemed a breach of faith, without the consent of the zamindars to interfere directly between the zamindar and the raiyat for the purpose of fixing the amount of land tax demandable from the latter under the settlement of 1792-93." The proposed restriction is, however, altogether uncalled for by the circumstances of the country. No evidence whatever has been adduced to show that the raiyats in any parts of these Provinces are rackrented; all the evidence on the contrary goes to show that landholders have been extremely moderate and forbearing in the matter of settlement of rent with their raiyats. The ratio which rent bore to the value of annual produce at the

time of the Permanent Settlement varied according to Sir Jhon Shore from $\frac{1}{4}$ to $\frac{2}{3}$ ths, and although the landholders were clearly entitled to get from time to time such enhanced rents as represented the changed value of money according to that ratio, it is an undisputed fact that the ratio which rent bears to the annual value of produce at the present day ranges in different parts of these Provinces from $\frac{1}{10}$ to $\frac{2}{3}$ ths. Apart therefore from the question of legal rights the restriction in question is a great injustice to the landholders. The effect of the rule on the economic condition of the country would be an unmitigated evil. The experience of every country has confirmed Arthur Young's observation that low rents always act as a damper upon industry and ultimately tells seriously upon the condition of agriculture and the prosperity of the cultivating class. The restriction in question will no doubt be felt by the raiyats as a benefit for a few years but ere long the profits of the holdings will give rise to a large class of under-raiyats, increase sub-infeudation to an alarming extent, and thus make a definite area of land feed two, perhaps, three families of raiyats in the place of the one that it is now feeding. In these Provinces where, according to the figures given in Dr. Hunter's Statistical Accounts, more than one-fourth of the average cultivable area is still uncultivated, not one of the least deplorable consequences of such a state of things would be to check the extension of cultivation and the progress of emigration. The question presents another aspect. Would this legislative embargo effectively control the law of demand and supply? Can the legislature force the principles of political economy to bow to its dicta? If a raiyat and his landlord agree between themselves as to the extent to which the rent should be enhanced, ways and means would not be wanting to give their agreement the form of a binding contract. After the terms have been agreed upon the landholder may sue the raiyat for enhancement at a certain figure and the raiyat may confess judgment in Court, or the raiyat may give the zamindar's *as salami* the capitalized value of the increase in excess of the enhancement allowed by law. The parties may have recourse to other shifts and devices to defeat the law. But perhaps the history of the provision is its strongest condemnation. The draft Bill (section 71) of the Rent Commission provided that there should be no limit to enhancement by contract. That provision was maintained in the draft Bill (section 63) of the Bengal Government, and also in the draft Bill (section 63) which was sent up to the Secretary of State in Council. It was the Bill which was sent up to the Secretary of State in Council. It was the Bill which was introduced in Council in March 1883, which for the first time provided (section 59 (2)) that the increased rent should not exceed 6 annas in the rupee. The Select Committee in the course of deliberations last year reduced the limit to 4 annas in the rupee (section 41). At a meeting of the Select Committee, held on the 8th ultimo, a motion was made on the part of the Bengal Government to reduce the maximum limit to 2 annas in the rupee, but it was not supported by a single member, and it was therefore not carried. The motion was renewed on a subsequent date in connection with the question of a maximum limit to enhancement by suit in Court and carried by a majority. It should be further observed that the extension of the minimum time from 10 to 15 years during which the enhanced rent should obtain currency, was for the first time made by the Select Committee last year; the draft Bill of the Rent Commission, the draft Bill of the Bengal Government, the draft Bill of the Government of India, and also the Bill which was introduced in Council in 1883, all fixed the minimum period at 10 years. The objections to this limit which we have mentioned with reference to tenures apply with double force in the case of raiyati holdings.

Section 29 (2).—This sub-section contemplates an exercise of powers by the registering officer which is likely to do the raiyat more harm than good. Registering officers are not expected to exercise judicial powers, and yet in the face of his opinion under this sub-section, it would be difficult for a raiyat to prove in the Civil Court that he was not at the time in a sound state of mind, or that he was not competent by reason of his minority or other disability to enter into the contract.

Section 30 (b).—The alterations made by this section in the grounds on which a suit for enhancement of rent may be instituted would deprive landholders of enhancement which is justly due and at the same time introduce unnecessary complications in the law to the injury both of the landholder and of the raiyat. There will be no enhancement on the ground of a rise in price unless the rise is in respect of the price of the staple food-crops. By section 39 (7) the local Government has to determine what shall be deemed to be staple food-crops in these provinces, and it appears from a letter written by the Revenue Secretary to the Government of Bengal to the Secretary of the British Indian Association, dated the 23rd February 1884, that "the Lieutenant-Governor would probably declare to be staples the two food-grain crops (apparently rice and wheat) which appear * * to be most largely produced in each district." The effect of this alteration would be very harmful. The landholder would get no enhancement for a large rise in the price of jute, sugarcane, or potato, if there has been no rise in the price of rice; while on the other hand a raiyat cultivating simply jute, sugarcane, potatoes or pulses would have to pay not only enhanced rent to his landlord but also to spend more money for his living if the price of rice has risen although the price of these other crops has fallen or remained stationary. It is easy to see that in some cases the operation of this section would be disastrous to the raiyats.

Section 30 (c & d).—The alteration made in the ground of enhancement relating to increase of the productive powers of the land is equally objectionable. These clauses provide for enhancement when the increase is due either to improvements effected by the landlord, or by fluvial action; but there are other causes of improvement for which the landlord is undoubt-

edly entitled to get enhancement of rent. Where, for instance, a change in the course of a river, a new railway, a new public road or a new Government embankment frees land from periodical inundations or from frequent trespasses by cattle or wild animals, any rule which deprives the landlord of his share of the benefit of the improvement militates against the very principle on which enhancement on the ground of improvement of the land is based. The alteration in this ground of enhancement has necessitated the introduction of a number of sections about landlords' improvements, and enquiries into the same and registration thereof which might well have been omitted.

Section 31 (a).—There is no justification for the rule contained in this clause to the effect that a landholder, claiming enhancement on the ground that the rent paid by a raiyat is below the prevailing rate should prove the rates of rent paid during a period of not less than 3 years. If the majority of the raiyats of a village have agreed to pay a certain rate of rent and paid that rent by reason of a rise in the price of produce or improvement of the land, why should the landholder have to wait for 3 years before he could sue the remaining dozen or score of raiyats for enhancement of rent at that rate? If these raiyats have any grounds entitling them to continue to hold at a lower rate of rent they may prove such ground as well at the time as 3 years after.

Section 32 (a).—Enhancement of rent on the ground of a rise in price of produce would be more visionary than real if, in addition to the other limitations, the restrictions contained in this section are allowed to stand. The Court is required to ascertain the price by comparing the average prices during the 10 years' immediately preceding the date of suit. An average of such a long period will necessarily reduce the rate of enhanced rent and deprive the landholder of his proper dues. It would be enough, for the purpose of determining whether a rise in price is merely casual or steady if the average of 3 years is taken. In connection with this matter it is noticeable that section 38, which provides for reduction of rent on the ground of a fall in the price of produce does not contain the rule to which I object. In all fairness, the rule of procedure should be the same in both cases, but from the way in which section 38 is worded there is nothing to prevent the Court from decreeing reduction of rent on the basis of an average of 2 or 3 years.

Section 32 (b).—The restriction to enhancement contained in this clause is based on a wrong assumption of facts and on false reasoning. The clause provides that, for the purpose of determining the enhanced rent according to the rule of proportion, the average price should be reduced by $\frac{1}{3}$ rd of the excess, that fraction representing the increased cost of cultivation. The portion of the Report of the Bengal Government (segment 44), on the basis of which the rule has been introduced, proceeds on wholly erroneous data from beginning to end. Enhancement by the rule of proportion as contained in the first part of this clause involves three different contingencies as regards the costs of cultivation. The costs of cultivation (1) might have increased in the same ratio as the price of produce; (2) they might have increased in a less ratio; (3) they might have increased in a greater ratio. If these costs be taken into consideration the result, by the rule of proportion, would be wholly unaffected in the first case; the landholder would be entitled to get more in the second case in the shape of enhanced rent than he would otherwise get, and it is only in the third case that the raiyat would be entitled to a reduction in the enhanced rent. But where is the evidence to show that the costs of cultivation have increased in a greater ratio than the price of produce? The statement made by some of the officers to the effect that the costs have increased goes for nothing, as they may have increased in the same or in a less ratio than the price of produce. To illustrate our meaning we shall take a hypothetical case. Let the value of the annual produce of a bigáh of land be Rs. 8, of which Rs. 3 represents the costs of cultivation Rs. 3 the rent and Rs. 2 the profit of the raiyat, and let the rise, as assumed by the Bengal Government for purposes of illustration, be 25 per cent. in prices, so that the value of the annual produce has become Rs. 10. Then, under the simple rule of proportion, the enhanced rent would be Rs. 3-12, the profit of the raiyat under the rule of proportion would be Rs. 2-8, and the balance Rs. 3-12 would represent the costs of cultivation. The rule of proportion, therefore, assumes that the costs of cultivation have risen in the same proportion as the price of produce—an assumption which in a majority of cases is far more favorable to the raiyat than to the landholder. It is this which induced the learned Judges in Thakurany Dasi's case to hold that the cost of cultivation should not be taken into calculation in working the rule of proportion. The report of the Bengal Government states: "Thus if prices rise 25 per cent. they would increase the rent $12\frac{1}{2}$ per cent., and allow the other $12\frac{1}{2}$ per cent. to go as an allowance for increase in costs of production." It is easy to see that this is both arithmetically and logically erroneous. If $12\frac{1}{2}$ per cent. be allowed for costs of cultivation out of the landholder's share, the actual allowance for such costs would be $37\frac{1}{2}$ per cent.

Section 33 (a).—The necessity of registering landlord's improvements created by this section would involve an amount of expensive enquiry which few landholders will care to invite, and the result will, therefore, be to deprive them of enhanced rents to which they are fairly entitled.

Section 54 (b).—Where land is washed away or covered with sand, it is the landlord who suffers. A portion of the land on which lay the security for his revenue is gone. The raiyats who held the land would be welcome to cultivate other plots of lands, but the loss to the landholder is irretrievable. As some compensation for such cases, might not they reasonably ask that they should be allowed the whole benefit of improvements in land caused by natural causes?

Section 38 (b).—The same rule of procedure as regards the determination of average prices should hold good both in cases of enhancement and reduction of rent. If it be an average of 10 years in the one case let it be the same also in the other.

Section 40.—Few provisions in the Bill will do more harm to the Behar landholders than the provision contained in this section for the commutation of produce rent into money rent on the application of the raiyat. The institution of payment in kind is one eminently deserving of every encouragement at the hands of the legislature. A Government settlement-officer has rightly observed: "It gives the landlord a fair profit in any improvement he may make; the rents are self-adjusting; the tenant is not driven into debt to meet a fixed demand; if he borrows, he borrows from his landlord, a less exacting creditor than the village banker; a feeling of mutual interdependence and self-interest is created between landlord and tenant; the former is more than a mere rent collector, his own prosperity depends on that of the cultivator." If commutation is allowed at the instance of the raiyat it would entail all the trouble, expense and litigation inseparable from settlements of money rent, involve raiyats in debt, and seriously affect the cause of agriculture. Lands for which produce rents are paid usually require the co-operation of the landholder for their cultivation. In most places, as in the districts of Patna and Gya, such co-operation is indispensable. The utter uselessness of attempts on the part of individual raiyats to cultivate such lands without the help of the landholder is nowhere better explained than in the very valuable letter written on the subject by Bâhû Bhupsen Sing, Government Pleader of Gya. He writes: "Because, in the first place, his holding being scattered in small plots and patches all over the village area, many at considerable distances from the *ahars* and *pynes*, he will not think it worth his while to spend any money upon the construction and repairs of the common reservoirs and water-courses; secondly, because he has not the means, nor has he any credit with money-lenders, to raise the required sum by loan; thirdly, because, in the present state of the country, the habits of the people, their ancient and inherited mode of thinking, and their want of confidence in each other, so natural in monetary transactions among the ignorant and illiterate mass to which the majority of the cultivators belong, would make combination and raising up of subscriptions among themselves, creation of a joint common fund and the appointment of trustees for the proper management of such a fund, anything but practicable within the bounds of possibility; fourthly, because, assuming, even for the sake of argument, the possibility of the creation of such a fund and the appointment of such trustees as aforesaid, the mob would be without a lead, and each raiyat having paid for the common reservoirs and water-channels would claim the priority of irrigating his fields, and try to assert his rights or supposed rights, by means, fair or foul, which would often lead to serious affrays, resulting in the "breaking of bones and shedding of blood, and sometimes terminating in murders and man-slaughters."

Chapter VI.—The rights given by the Bill to a non-occupancy-raiyat will, to all intents and purposes, convert him into an occupancy-raiyat. He may (section 85) sub-let his holding so as to make the sub-lease binding for 9 years, although his own tenure might be for a much shorter time. The landlord will have no power to eject him for refusal to pay enhanced rent. He must serve upon him a notice of enhancement, sue him in Court, and it is only when the raiyat refuses to pay rent at the rates paid by occupancy-raiyats that the landlord may get a decree for ejectment. A non-occupancy-raiyat may (section 79), as a matter of right, dig a well, and erect a dwelling-house and out-offices on his land and make any other improvement after having first served a notice on his landlord requiring him to do so. When a decree for ejectment is passed the Court may extend the time beyond 15 days, the raiyat will be entitled to get from his landlord the price of the crops, if any, on the land or the cost of the preparation of the land and also (section 82) compensation for improvements made by him. If the landlord applies for a record and settlement of rights, or if the process is forced upon him by the Local Government, the rent of the non-occupancy-raiyat, whether enhanced or reduced, will hold good for 5 years. All these provisions are violent inroads upon well-recognized rights of landholders. It appears to us, however, that the effect of their operation would be to place non-occupancy-raiyats in a much worse position than at present. Having an absolute right of ejecting such a raiyat on the expiry of the term of his lease, the landholder will in every case grant short term leases with a view to protect his interests and thus reduce non-occupancy-raiyats to mere tenants-at-will. For the purpose of providing for the comparatively small number of cases in which landholders have not or may not protect themselves by contract, a number of sections have been introduced in different parts of the Bill which might well be omitted. They simply add to the radical aspect of the measure without doing any corresponding good.

Chapter VII.—I shall discuss the provisions of this chapter along with section 85 which might well have formed a part of this chapter.

Section 50 (2).—The operation of the rule of 20 years' presumption has been most injurious to the landholders. Instead of merely giving the raiyat a facility for proving that he and his ancestors before him have been in possession by payment of rent at a uniform rate since 1793 in cases where he has been actually in such possession, it has, like a rule of prescription or of limitation, created rights where none existed before. By the very circumstances of their position the landholders have been unable in most cases to rebut the presumption. Those landholders whose families have been in possession of estates since 1793 form a very insignificant number, the vast majority having acquired their estates by purchase since that time, and as it is notorious that the records of landholders are badly kept, and the climate of the country is inimical to the preservation of old records, it is easy to see that excepting a very few cases landholders have

been wholly unable to discharge the burden laid upon them by law. The injustice of this rule of presumption has been exposed by none so well as by the Hon'ble Mr. Reynolds in the report which accompanied his draft Bill. He is supported in this respect by a large number of experienced Revenue Officers, District and Subordinate Judges, who were consulted by the Bengal Government on the subject. Mr. H. L. Dampier, Mr. E. E. Lewis, Mr. G. N. Barlow, Mr. Kean, Mr. D. W. Doyly, Mr. R. Porch, Mr. A. Weekes, Mr. C. B. Garrett, Mr. J. Tweedie, Babu Srinath Rai, Babu Bhagaban Chandra Chakerbutty, Babu Naffur Chandra Bhutta, Syed Moazim Hossein and others have recommended either the abolition of this rule of presumption or a material modification of it. Considering that the rule is opposed to the recognised principles of evidence, that it is opposed to the fact that from $\frac{1}{4}$ to $\frac{3}{4}$ of the area of these provinces was waste at the time of the Permanent Settlement, that it has been in operation for the last twenty-five years during which all who really required it and many more have had their titles judicially declared, that it places in the way of auction-purchasers, seeking to get their just dues, obstacles which are practically insurmountable, and that it would operate in future with double hardship upon the landholder, it is but fair to him that the rule should be expunged from the Bill. The justice and necessity of its abolition cannot be better supported than by referring to section 190 of the Bill. When Government with all the means and appliances which a well-kept and organised system of accounts placed at their disposal, find it necessary to protect their own interests by freeing those khas mehals which have never been permanently settled (and these form the majority) from the operation of this rule of presumption, how much more imperative must be the necessity for an amendment of the law in the interests of private landholders?

Section 50 (3).—The question as to in what cases the rule of 20 years' presumption, notwithstanding that land has been added to or taken from a holding should apply should be left to the decision of the Courts, according to the merits of each case. A hard-and-fast rule, that the presumption shall apply to all cases of consolidation or reduction of holdings may be fraught with great mischief. The remarks of Sir R. Couch in this connection contained in a ruling reported in 21 W. R. 267 are well worth considering.

Section 56 (4).—Considering that section 58 gives the tenant full remedy for refusal or neglect on the part of his landlord to give him a receipt in proper form, this sub-section is wholly unnecessary. It is likely to prove a fruitful source of litigation by holding out to the tenant a prospect of discharge from all liability, if he can shew that his landlord has not put in some one particular in his receipt although it might have been from ignorance or oversight.

Section 58.—A demand of the receipt by a letter under a registered cover should precede the institution of a suit for recovery of penalty. The section, as it is, would offer a great temptation to the tenant to refuse to take the receipt and sue his landlord for recovery of double the amount paid by him.

Section 61.—Clauses (c) and (d) of this section are objectionable. A landholder's agent might have once refused to take rent from a raiyat on the ground of his not being a recorded tenant, or on the ground of some dispute as to the amount of rent, but that is no reason why it should be assumed that he would refuse to take rent at all future time, notwithstanding that the matters in dispute have been settled. There should be a tender of payment in every case before deposit is allowed. Nor should the raiyat be allowed to constitute himself a judge of his landlord's title, and to deposit his rent in Court on the plea that by reason of a suit instituted by a third party, against his landlord, he feels a *bond fide* doubt as to his title to receive it.

Section 64 (1).—If this sub-section were made applicable only to rents deposited under clause (d) of section 61, we should have nothing to say; but we strongly object to it as it clearly refers to all classes of deposit of rent. The Court should certainly have no power to pay money to B, when the raiyat has deposited to the credit of A.

Sections 74 and 75.—Exception should have been made in these sections in regard to such impositions "in addition to actual rent" which are allowed by law. Take for instance the case of zamindari dawk charge, which is by law (Act VIII of 1862, B.C.) payable by the zamindar, but which he may (section 9) stipulate with his raiyats for payment by them. Take again, the case of the road cess. It is payable by law both by the raiyat and his landlord in certain proportions, but there is nothing to prevent the latter to bind the former by contract for the payment of the whole amount by him. Sec. 4, Indian Law Reports, Calcutta, 576. The Salamy which the landholder is clearly entitled to get for parting with a portion of his rights, e. g., allowing the tenant to take earth for brick-making, should also be expressly excepted. This is the more necessary, as the penalty provided in section 74 is very heavy.

Sections 76—83.—These sections, about improvements and compensation for improvements have been strongly objected to by landholders. If they are allowed to stand, landholders should be given the prior right to make an improvement, where both they and their raiyat wish to make it; the right of non-occupancy raiyats to make improvements should be taken away, and the difference in this connection between an occupancy-raiyat holding at a fixed rent or fixed rate of rent, and other occupancy-raiyats should be abolished. Section 77 furnishes another instance of the great confusion which will arise, if this distinction is maintained. It is provided in clause (3) that if there is a dispute between the raiyat and his landlord "as to the right to make an improvement," the Collector should "decide the question and his decision shall be final." The Collector must therefore determine finally and conclusively, although quite in an incidental way, whether a raiyat holds at a fixed or enhancible rent.

Section 85.—The effect of the various provisions of the Bill regarding sub-letting and under-riyats would be to give a great impetus to the progress of the institution, although both the Secretary of State in Council and the Government of India have expressed a desire that the institution should be discouraged. A registered sub-lease will be ordinarily binding for nine years, the sub-lessee's rent may not be enhanced beyond a certain percentage over the lessors' rent, in certain cases of sale of the lessors' title the sub-lease cannot be avoided, and even in cases of abandonment by the lessor he will have the right to hold on if he agrees to pay the rent payable by his lessor. These provisions would be more harmful to landholders and their riyats than a provision of free sale of occupancy holdings with the restrictions which the revised Bill imposed upon it.

Section 86 (2).—The Bill provides for a notice of six months to be given to the riyat in a case of ejectment. It is fair to the landholder that he should receive a notice of an equal period in a case of surrender.

Section 86 (3).—This clause is objectionable. The notice may fairly be presumed if the landholder lets the surrendered land to another riyat in the beginning of the year, but to presume it in any other case would be doing him wrong. To presume the service of the notice from the fact that the riyat has taken a new holding in the name of a relative or friend would be contrary to all rules of evidence, and to raise the presumption from the fact that the riyat has ceased for three months to live in the village, would be to expect the landholder to act in a way quite opposed to the provisions of section 87. When the question is one of continued liability of the riyat to pay rent, he will be presumed to have surrendered his holding simply from the fact of his having ceased to live in the village for three months, but when the question is one of the landholder's right to re-let land which has been abandoned, no abandonment will be presumed till the expiry of the year, in which the riyat so abandons, and not even then till the Collector on the application of the landlord has published a notice in the locality. It is provisions like these which have given the Bill such an one-sided character.

Section 87.—The attempt made in this section to formulate the nature of evidence required to prove an abandonment, has singularly failed. A riyat must (1) abandon his residence; (2) omit to make any arrangement for the payment of rent, and (3) cease to cultivate the land, before he can be said under the section to have abandoned his holding. In the case therefore of a pykust or non-resident riyat, there can be possibly no abandonment of a holding, unless the riyat abandons his native village belonging to a different landholder. The landholder will have no right to let the lands abandoned by a pykust riyat to another riyat until the pykust riyat "abandons his residence," a contingency which may never happen. Again, there is no reason why a landholder should have to wait for one year, and lose his year's rent, if he is satisfied that the riyat has really abandoned his holding. The provision for the publication of notice contained in clause (2) and for the recovery of possession by the riyat contained in clause (3) would be a sufficient check against any *malā fides* of the landholder.

It should be also observed that clause (3) extends the time within which a riyat may sue to recover possession from one year to two years. This extension of time is under the circumstances of the case, altogether unnecessary, and it will complicate matters, and give rise to litigation. If the land be let in the meantime to a settled riyat of the village, and if he lets it to another under-riyat under a registered sub-lease, what an amount of confusion would be caused?

Section 90.—This section takes away important rights of landholders as regards measurement. If the riyat refuses to attend the measurement and point out his land, clause (2) will place him in no worse position than a riyat who has attended and pointed out his land. In both cases, the measurement will be presumed to be correct unless the contrary is shewn. The most noticeable defect in the section is however, the absence of any provision for cases in which a landholder, usually an auction-purchaser, is unable to ascertain the riyats who are in possession of the lands of his estate. A landholder may under such circumstances, it is true, make an application under the Record-of-Rights Chapter, but it would throw upon him not only a deal of expense and trouble but would place him at the mercy of the Revenue-officer.

Sections 93-100.—The strong support which the Bengal Government gave in their Report to the provision for the appointment of managers in joint estates was based on an erroneous assumption that it was the existing law. That law was, however, repealed in 1874 when other obsolete enactments were repealed. Since then no necessity has been made out for a provision like this which will place in the hands of a small fractional shareholder of an estate the power of seriously annoying and injuring his co sharers. Considering that the holders of small estates collect their own rents from the riyats, the appointment of a manager by Court will eat up all their profits. The facilities which the law and the rulings of the Courts have given for the partition of joint estates have rendered such a provision as this wholly unnecessary.

Sections 101-114.—Both among landholders and riyats this is one of the most unpopular portions of the Bill. These sections give to the Executive Government a power to convulse rural society to an extent far exceeding anything which any differences arising out of the ordinary relations of landlord and tenant can create. Even under circumstances of agrarian disturbances neither of the contending parties would avail themselves of these provisions. The Agrarian Disturbance Act of 1875 remained a dead-letter so long as it was in the Statute Book. The Select Committee have made these provisions much more objectionable than before by introducing a section (section 111) which gives the Revenue-officers power to reduce exist-

ing rents either on the grounds allowed by law or on any other ground, and we think that in justice to the landholders and in the interests of the raiyats themselves, these sections should be omitted.

Section 116.—A record of proprietor's private lands should be made only on his application, as it would otherwise put the landholder and his raiyats to great expense and trouble at a time when there is perhaps perfect peace and harmony between the parties and when neither of them is prepared for the enquiry. The provision empowering the Local Government to order such an enquiry at any time they please, and without any application on the part of the raiyats or their landlord, is, therefore, highly objectionable. Section 120 involves an anomaly. If a landholder after having cultivated by his own servants a piece of land for 12 years before the passing of the Act, turns it into raiyatti land, he will still be enabled after a lapse of 15 or 20 years, when the record will be made, to claim it as his private land and to get it so recorded.

CHAPTER XII.—The provisions relating to distraint amount virtually to an abolition of the institution. They will give the landholders no greater powers than what the Code of Civil Procedure gives to every plaintiff who may wish to get an attachment before judgment. The landholder looks upon the crops as the security for the recovery of his rent. The sale of the houses and the goods and chattels of raiyats is often times quite inadequate to meet the landholder's claim. In the case of non-resident raiyats the crops raised by them are the landlord's only security for his rent. If they remove the crops before paying the rent the landholder generally loses his rent for the year. The procedure contained in this chapter would therefore result in this, that while the landlord is engaged in making application to the Court and satisfying it of the *bona fides* thereof, the raiyat will quietly remove his crops and the former will not only lose his rent but also the costs of the application. It is a misnomer to call that a distraint which is nothing more or less than a process of Court. The present law on the subject does not give the landholder any power which might be possibly abused. He can only attach the crops, but he cannot interfere with the raiyat's doing what he likes with the crops without the assistance of the Court. It is the fear of the consequences if the raiyat removes the distrained crops that constitute the landholder's whole security for the rent. There have been no complaints on the part of judicial officers of any abuse of the power which the present law allows with impunity. On no point, on the contrary, have public officers expressed themselves more forcibly than in condemnation of the procedure contained in the Bill and in support of the existing law. The Presidency Conference, the Patna Conference, the Rajshahi Conference, the Burdwan Conference, the Orissa Conference and a number of individual officers have recommended the retention of the existing law.

Section 153 (4).—The rule allowing an appeal in all cases should not be interfered with. Rent suits should not be judged by the amount of the claim. Very often they possess an importance to which the value of the suit is no index. All those whom we have consulted are of opinion that it is much better that they should have the constitutional right of an appeal than that their suits should be finally decided by special officers selected by the local Government.

Section 154.—The time within which a suit for enhancement may be instituted should be extended to the first 9 months in order to enable the landholder to judge from the condition of the crops whether he should institute the suit in a particular year. No one would like to institute a suit for enhancement when the prospect of the crops is gloomy or distress is impending over the country.

Section 155 (1).—Provision should be made for service by Court of the notice of ejectment. If it were left to the landholders, as this sub-section does, the service would be denied in most cases and the enquiry would entail unnecessary expense and delay.

Section 156.—A decree for ejectment severs the relation between landlord and tenant. If there be crops on the land they go with the land to the landholders, as ruled in a case reported in 5 Indian Law Report, Calcutta, 135. This section lays down a principle and provides for an elaborate enquiry quite in opposition to the judge-made law on the subject. A raiyat may be ejected only at the close of the year when the crops have been reaped. There is, therefore, no necessity for this section. Moreover, when a raiyat's interest may be sold outright four times in the year, a provision regarding crops in cases of ejectment only would give the raiyat an illusory protection.

Section 160.—This section introduces serious changes in the present law regarding what are called the protected interests. There could be no objection to a lease for building or manufacturing purposes granted at a fair rent being protected from avoidance on the sale of the superior tenure as provided in the present law, but this section goes much farther. A lease of land whereon manufactories have been erected, perhaps without the consent of the landholder, and reserving a nominal rent is declared a protected interest by this section; as also judicial leases granted to non-occupancy raiyats and permanent leases granted by the out-going tenureholder. The effect of these provisions will be that it would be in the power of a tenureholder to create leases in the names of his servants and relations which would absorb the entire profits of the tenure and then put it up to sale by making default in the payment of rent. Most tenures would be rendered quite valueless in no time if these provisions are retained.

Sections 161—169.—These Sections introduce alterations in the existing law which will prove a fruitful source of litigation. No necessity whatever was felt for provisions like these. If the sale be made in the first instance subject to the registered encumbrances, and then, after the sale proceeds have been found to be inadequate, a second sale be made with power to avoid such encumbrances, it would saddle the judgment-debtor with unnecessary costs, reduce the market value of the tenure and delay the realisation of money due to the landholder. These

evils would be greatly enhanced if the procedure be extended by the Local Government to sales of occupancy holdings under Section 168.

Section 177.—The preamble of Regulation V of 1812 shows that although the Legislature of 1793 enjoined the exchange of written engagements between landholder and tenant, the raiyats of these Provinces in a body deliberately refused to enter into written engagements which would make it obligatory on them to pay as rent, cesses, and abwabs which they had been paying as benevolences, and that that Regulation was passed, among other objects to provide for such refusal. Since that time there has been vast progress in the material prosperity of the country, in the spread of education and in the condition of the raiyats. They might well therefore be left to the resources of their own judgment in matters relating to their own interests. They will be perfectly free to contract away their liberties and become emigrants in a strange country, to borrow money at usurious rates of interest involving their ultimate ruin, and to mortgage their holdings or sell them in some cases, and yet this section imposes restrictions upon freedom of contract in a variety of matters in which they are the best judges of their own interests. It is very doubtful how far these would be effective in practice and how far they would prevent parties from having recourse to shifts and devices for the purpose of evading the law. These provisions, it should be observed, offer a striking contrast to the provision contained in section 192. In the case of private landholders, free contract is restricted in the interest of raiyats; in the case of Government no contract entered into by a landholder with his raiyats before the property came into the hands of Government would be respected if it interfered with the right of Government to assess fair and equitable rent upon the land.

Section 182.—This Bill should have nothing to do with homestead lands in towns and trading places. Where homestead lands do not form part of a raiyatti holding its incidents should be left to custom and contract.

Section 184.—The schedule to which this section refers has extended from one year to two years the time within which a raiyat dispossessed by his landlord may sue to recover possession. We see no reason why this alteration in the existing law should be made.

Section 186.—A provision which converts into a criminal offence acts, otherwise not criminal, which relate to the daily transactions of life is most objectionable. The provisions of the section are, moreover, very one-sided. In the case of the landholder, for instance, an "attempt to distrain" would be a criminal offence, but in the case of the raiyat not only is an attempt to resist distraint or remove distrained crops not criminal, but he may remove crops stored for division or appraisal under the Danabundy system without subjecting himself to any penalty, civil or criminal.

Sections 191 & 192.—For reasons stated in different parts of this Dissent, these two sections should be omitted and Government should be placed in exactly the same position regarding landholding rights as private landholders.

Section 196.—We do not see either the necessity or the value of this section. If the Acts of the Local Legislature in any way conflict with the provisions of this Bill such Acts would be rendered inoperative by the Indian Councils Act, 1861. If those Acts provide for matters not embraced by this Bill they would have the force of law without any provision like this.

Schedule I.—We strongly object to the sections of Regulation VIII of 1793 mentioned in this schedule being omitted. They contain the most important provisions on which the Permanent Settlement was based, next in importance only to the provisions fixing the revenue in perpetuity.

We desire to say, in conclusion, that the Bill does not provide for any summary procedure for the recovery of rent. By making an express provision for decrees directing recovery of rent by instalments, by extending the time before a sale can take place from 20 to 30 days from the date of the proclamation, and by giving the Courts discretion to extend beyond 15 days the time within which a raiyat might protect himself from ejectment by payment of the decreed amount, the Bill has, on the contrary, thrown additional obstacles in the way of recovery of rent.

Considering the importance of the measure and the material changes in the Bill made by the Select Committee since their Preliminary Report was submitted last year we think that it should be republished before its provisions are taken into consideration by the Council.

PEARL MOHAN MUKERJI.

LAKSHMESHWAR SINGH.

12th February 1885.

I wish to add that I regret that my unavoidable absence from the Meetings of the Select Committee in the last stage of their labors and the very short time at my disposal between the receipt by me of the draft report of the majority of the Committee and the date fixed for the submission of the report to the Council, prevents me from recording my opinions at greater length. I adhere to the opinions expressed in my last year's dissent. The measure as a whole is even now opposed to the just rights of the proprietors of land and detrimental to the best interests of the entire community. If not withdrawn, it still requires further and serious consideration by the light of actual ascertained facts and circumstances of the country as opposed to mere opinions and *ex-parte* reports.

LAKSHMESHWAR SINGH.

12th February 1885.

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SCHEDULE I.—REPEAL OF ENACTMENTS.

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*Bengal Tenancy Bill.**(Chapter I.—Preliminary.—Secs. 1—3.)***No. III.***Explanation of abbreviations in margin.*

D. means Mr. Field's Digest.

C. B., the Bill prepared by the Commission.

B. B., the Bill submitted by the Bengal Government with letter No. 849, dated 27th July, 1881.

SECTION means the corresponding section of the Bill No. II, dated March, 1884.

A
BILL
TO

Amend and consolidate certain enactments relating to the Law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal.

WHEREAS it is expedient to amend and consolidate certain enactments relating to the law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal; It is hereby enacted as follows:—

CHAPTER I.**PRELIMINARY.**

1. (1) This Act may be called the Bengal
Short title. Tenancy Act, 1885.

(2) It shall come into force on such date (hereinafter called the commencement of this Act) as the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the local official Gazette, appoint in this behalf.

(3) It shall extend by its own operation to all the territories for the time being under the administration of the Lieutenant-Governor of Bengal, except the Town of Calcutta, the Division of Orissa, and the Scheduled Districts specified in the third part of the First Schedule of the Scheduled Districts Act, 1874; and the Local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, extend the whole or any portion of this Act to the Division of Orissa or any part thereof.

2. (1) The enactments specified in Schedule I hereto annexed are repealed
Repeal. in the territories to which this Act extends by its own operation.

(2) When this Act is extended to the Division of Orissa or any part thereof, such of those enactments as are in force in that Division or part, or, where a portion only of this Act is so extended, so much of them as is inconsistent with that portion, shall be repealed in that Division or part.

(3) Any enactment or document referring to any enactment hereby repealed shall be construed to refer to this Act or to the corresponding portion thereof.

(4) The repeal of any enactment by this Act shall not revive any right, privilege, matter or thing not in force or existing at the commencement of this Act.

3. In this Act, unless there is something repugnant in the subject or context,—

(1) "Estate" means land included under one entry in any of the general registers of revenue-paying lands and revenue-free lands, prepared and maintained under the law for the time being in force by the Collector of a district, and includes Government khás maháls and revenue-free lands not entered in any register: [D., § 1. C. B., s. 3. B. B., s. 3. Section 3 (1).]

(2) "Proprietor" means a person owning, whether in trust or for his own benefit, an estate or a part of an estate. [D. § 1. C. B., s. 3. B. B., s. 3. Section 3 (2).]

(3) "Tenant" means a person who holds land under another person, and is, or but for a special contract would be, liable to pay rent for that land to that person. [Section 3 (3).]

(4) "Landlord" means a person immediately under whom a tenant holds, and includes the Government. [Section 3 (4).]

(5) "Rent" means whatever is lawfully payable or deliverable in money or kind by a tenant to his landlord on account of the use or occupation of the land held by the tenant: [D., § 1. C. B., s. 3. B. B., s. 3. Sec. s. 227. Section 3 (5).]

In sections 53 to 68, both inclusive, sections 72 to 75, both inclusive, Chapter XII and Schedule III of this Act, "rent" includes also money recoverable under any enactment for the time being in force as if it was rent.

(6) "Pay," "payable" and "payment," used with reference to rent, include "deliver," "deliverable" and "delivery." [Section 3 (6).]

(7) "Tenure" means the interest of a tenure-holder or an under-tenure-holder.

(8) "Permanent tenure" means a tenure which is heritable and which is not held for a limited time.

(9) "Holding" means a parcel or parcels of land held by a raiyat and forming the subject of a separate tenancy. [Section 3 (7).]

(10) "Village" means an area included in a village map of the revenue-survey within the same exterior boundary, or, where no such maps have been prepared, such area as any officer appointed by the Local Government in this behalf may determine after local inquiry held on such notice as the Local Government considers sufficient for giving information to all persons interested. [B. B., s. 19, Expt. 11. Section 27.]

(11) "Agricultural year" means, where the Bengali year prevails, the year commencing on the first day of Bysák, where the Fasli or Amli year prevails, the year commencing on the first day of Asin, and, where any other year prevails for agricultural purposes, that year. [Sec. 3 (8).]

Bengal Tenancy Bill.

(Chapter II.—Classes of Tenants.—Secs. 4-5.)

(Chapter III.—Tenure-holders.—Secs. 6-7.)

(12) "Permanent Settlement" means the Permanent Settlement of Bengal, Bihâr and Orissa, made in the year 1793.

(13) "Succession" includes both intestate and testamentary succession.

(14) "Signed" includes "marked" when the person making the mark is unable to write his name; it also includes "stamped" with the name of the person referred to.

(15) "Prescribed" means prescribed from time to time by the Local Government by notification in the official Gazette.

(16) "Collector" means the Collector of a district or any other officer appointed by the Local Government to discharge any of the functions of a Collector under this Act.

(17) "Revenue-officer" in any provision of this Act includes any officer whom the Local Government may appoint by name or by virtue of his office to discharge any of the functions of a Revenue-officer under that provision.

(18) "Registered" means registered under any Act for the time being in force for the registration of documents.

CHAPTER II.

CLASSES OF TENANTS.

4. There shall be, for the purposes of this Act, the following classes of tenants, namely:—

- (1) tenure-holders, including under-tenure-holders,
- (2) raiyats, and
- (3) under-raiyats, that is to say, tenants holding whether immediately or mediately under raiyats;

and the following classes of raiyats, namely:—

- (a) raiyats holding at fixed rates, which expression means raiyats holding either at a rent fixed in perpetuity or at a rate of rent fixed in perpetuity,
- (b) occupancy-raiyats, that is to say, raiyats having a right of occupancy in the land held by them, and
- (c) non-occupancy-raiyats, that is to say, raiyats not having such a right of occupancy.

5. (1) "Tenure-holder" means primarily a person who has acquired from a proprietor or from another

Meaning of "tenure-holder" and "raiya."

land for the purpose of collecting rents or bring-

ing it under cultivation by establishing tenants on it, and includes also the successors in interest of persons who have acquired such a right.

(2) "Raiyat" means primarily a person who has acquired a right to hold land for the purpose of cultivating it by himself, or by members of his family, or by hired servants, or with the aid of partners, and includes also the successors in interest of persons who have acquired such a right.

Explanation.—Where a tenant of land has the right to bring it under cultivation, he shall be deemed to have acquired a right to hold it for the purpose of cultivation notwithstanding that he uses it for the purpose of gathering the produce of it or of grazing cattle on it.

(3) A person shall not be deemed to be a raiyat unless he holds land either immediately under a proprietor or immediately under a tenure-holder.

(4) In determining whether a tenant is a tenure-holder or a raiyat the Court shall have regard to—

- (a) local custom; and
- (b) the purpose for which the right of tenancy was originally acquired.

(5) Where the area held by a tenant exceeds one hundred standard bighás, the tenant shall be presumed to be a tenure-holder until the contrary is shewn.

CHAPTER III.

TENURE-HOLDERS.

Enhancement of rent.

6. Where a tenure has been held from the time of the Permanent Settlement, its rent shall not be liable to enhancement except on proof—

- (a) that the landlord under whom it is held is entitled to enhance the rent thereof either by local custom or by the conditions under which the tenure is held, or
- (b) that the tenure-holder, by receiving reductions of his rent, otherwise than on account of a diminution of the area of the tenure, has subjected himself to the payment of the increase demanded, and that the lands are capable of affording it.

7. (1) Where the rent of a tenure-holder is liable to enhancement, it may, subject to any contract between the parties, be enhanced up to the limit of the customary rate payable by persons holding similar tenures in the vicinity.

(2) Where no such customary rate exists, it may, subject as aforesaid, be enhanced up to such limit as the Court thinks fair and equitable.

*Bengal Tenancy Bill.**(Chapter III.—Tenure-holders.—Secs. 8—15.)*

enhancement
int.

(3) In determining what is fair and equitable the Court shall not leave to the tenure-holder as profit less than ten per centum of the balance which remains after deducting from the gross rents payable to him the expenses of collecting them, and shall have regard to—

(a) the circumstances under which the tenure was created, for instance, whether the land comprised in the tenure, or a great portion of it, was first brought under cultivation by the agency or at the expense of the tenure-holder or his predecessors in interest, whether any fine or premium was paid on the creation of the tenure, and whether the tenure was originally created at a specially low rent for the purpose of reclamation; and

(b) the improvements, if any, made by the tenure-holder or his predecessors in interest.

(4) If the tenure-holder himself occupies any portion of the land included in the area of his tenure, or has made a grant of any portion of the land either rent-free or at a beneficial rent, a fair and equitable rent shall be calculated for that portion and included in the gross rents aforesaid.

§ 17(a).
§ 11(b).
ion 9.]

8. The Court may, if it thinks that an immediate increase of rent would produce hardship, direct that the enhancement shall be gradual; that is to say, that the rent shall increase yearly by degrees, for any number of years not exceeding five, until the limit of the enhancement allowed has been reached.

§ 10(b).
§ 11(c).
on 10.]

9. When the rent of a tenure-holder has been enhanced by the Court or by contract, it shall not be again enhanced by the Court during the fifteen years next following the date on which it has been so enhanced.

Other incidents of tenures.

§ 12.
§ 12.]

10. A holder of a permanent tenure shall not be ejected by his landlord except on the ground that he has broken a condition consistent with the provisions of this Act and on breach of which he is, under the terms of a contract between him and his landlord, liable to be ejected.

§ 13.
§ 13 &
on 11.]

11. Every permanent tenure shall, subject to the provisions of this Act, be capable of being transferred and bequeathed in the same manner and to the same extent as other immovable property.

§ 25.
§ 46.
§ 37.
on 15.]

12. (1) A transfer of a permanent tenure by sale, gift or mortgage (other than a transfer by sale in execution of a decree or by summary sale under any

law relating to partition or other tenures) can be made only by a registered instrument.

Other incidents of tenures.

(2) A registering officer shall not register any instrument purporting or operating to transfer by sale, gift or mortgage a permanent tenure unless there is paid to him, in addition to any fees payable under the Act for the time being in force for the registration of documents, a process-fee of the prescribed amount and a fee (hereinafter called "the landlord's fee") of the following amount, namely:—

(a) when rent is payable in respect of the tenure, a fee of two per centum on the annual rent of the tenure: provided that no such fee shall be less than one rupee or more than one hundred rupees; and

(b) when rent is not payable in respect of the tenure, a fee of two rupees.

(3) When the registration of any such instrument is complete, the registering officer shall send to the Collector the landlord's fee and a notice of the transfer and registration in the prescribed form, and the Collector shall cause the fee to be paid to, and the notice to be served on, the landlord in the prescribed manner.

13. (1) When a permanent tenure is sold in execution of a decree other than a decree for arrears of rent due in respect thereof, the Court shall, before, confirming the sale under section 312 of the Code of Civil Procedure, require the purchaser to pay into Court the landlord's fee prescribed by the last foregoing section and such further fee for service of notice of the sale on the landlord as may be prescribed.

Transfer of permanent tenure by sale in execution of decree other than decree for rent.

(2) When the sale has been confirmed, the Court shall send to the Collector the landlord's fee and a notice of the sale in the prescribed form, and the Collector shall cause the fee to be paid to, and the notice to be served on, the landlord in the prescribed manner.

14. When a permanent tenure is transferred by sale in execution of a decree for arrears of rent due in respect thereof, the Court shall send to the Collector a notice of the sale in the prescribed form.

Transfer of permanent tenure by sale in execution of decree for rent.

15. When a succession to a permanent tenure takes place, the person succeeding shall give notice of the succession to the Collector in the prescribed form, and shall pay to the Collector the prescribed fee for the service of the notice on the landlord and the landlord's fee prescribed by section 12, and the Collector shall cause the landlord's fee to be paid to, and the notice to be served on, the landlord in the prescribed manner.

Succession to permanent tenure.

*Bengal Tenancy Bill.**(Chapter III.—Tenure-holders.—16-17.)**(Chapter IV.—Raiyats holding at fixed rates.—Sec. 18.)**(Chapter V.—Occupancy-raiyats.—Secs. 19-22.)*

16. A person becoming entitled to a permanent tenure by succession shall not be entitled to recover by suit, distraint or other proceeding any rent payable to him as the holder of the tenure, until the Collector has received the notice and fees referred to in the last foregoing section.

17. Subject to the provisions of section 88, the foregoing sections shall apply to the transfer of, or succession to, a share in a permanent tenure.

CHAPTER IV.

RAIYATS HOLDING AT FIXED RATES.

18. A raiyat holding at a rent, or rate of rent, Incidents of holding fixed in perpetuity— at fixed rates.

(a) shall be subject to the same provisions with respect to the transfer of, and succession to, his holding as the holder of a permanent tenure, and

(b) shall not be ejected by his landlord except on the ground that he has broken a condition consistent with this Act, and on breach of which he is, under the terms of a contract between him and his landlord, liable to be ejected.

CHAPTER V.

OCCUPANCY-RAIYATS.

General.

19. Every raiyat who immediately before the commencement of this Act has, by the operation of any enactment, by custom or otherwise, a right of occupancy in any land shall, when this Act comes into force, have a right of occupancy in that land.

20. (1) Every person who for a period of twelve years, whether wholly or partly before or after the commencement of this Act, has continuously held as a raiyat land situate in any village, whether under a lease or otherwise, shall be deemed to have become, on the expiration of that period, a settled raiyat of that village.

(2) A person shall be deemed for the purposes of this section to have continuously held land in a village notwithstanding that the particular land held by him has been different at different times.

(3) A person shall be deemed, for the purposes of this section, to have held as a raiyat any land held as a raiyat by a person whose heir he is.

(4) Land held by two or more co-sharers as a General raiyat holding shall be deemed, for the purposes of this section, to have been held as a raiyat by each such co-sharer.

(5) A person shall continue to be a settled raiyat of a village as long as he holds any land as a raiyat in that village and for one year thereafter.

(6) If a raiyat recovers possession of land under section 87, he shall be deemed to have continued to be a settled raiyat notwithstanding his having been out of possession more than a year.

(7) If, in any proceeding under this Act, it is proved or admitted that a person holds any land as a raiyat, it shall, as between him and the landlord under whom he holds the land, be presumed for the purposes of this section, until the contrary is proved or admitted, that he has for twelve years continuously held that land or some part of it as a raiyat.

21. (1) Every person who is a settled raiyat of a village within the meaning of the last foregoing section shall have a right of occupancy in all land for the time being held by him as a raiyat in that village.

(2) Every person who, being a settled raiyat of a village within the meaning of the last foregoing section, held land as a raiyat in that village at any time between the second day of March, 1883, and the commencement of this Act, shall be deemed to have acquired a right of occupancy in that land under the law then in force; but nothing in this sub-section shall affect any decree or order passed by a Court before the commencement of this Act.

22. (1) When the immediate landlord of an occupancy-holding is a proprietor or permanent tenure-holder, and the entire interests of the landlord and the raiyat in the holding become united in the same person by transfer, succession or otherwise, the occupancy-right shall cease to exist; but nothing in this sub-section shall prejudicially affect the rights of any third person.

(2) If the occupancy-right in land is transferred to a person jointly interested in the land as proprietor or permanent tenure-holder, it shall cease to exist; but nothing in this sub-section shall prejudicially affect the rights of any third person.

(3) A person holding land as an *ijaradár* or farmer of rents shall not, while so holding, acquire a right of occupancy in any land comprised in his *ijara* or farm.

Explanation.—A person having a right of occupancy in land does not lose it by subsequently becoming jointly interested in the land as proprietor or permanent tenure-holder, or by subsequently holding the land in *ijara* or farm.

*Bengal Tenancy Bill.**(Chapter V.—Occupancy-raiyats.—Secs. 23-31.)**Incidents of occupancy-right.*

Incidents of
occupancy-
right.

B., s. 69.
Section 31

B., s. 42,
B., s. 21

Section 31, cl.
.]

B., s. 20

B., ss. 21
31, 69

Section 31, cl.
.]

B., s. 20.
B., s. 21.

Section 31, cl.
) & (b).]

Enhancement
rent

B., s. 42,
B., s. 21,

Section 39.]

B., s. 21

Section 40.]

Section 41.]

23. When a raiyat has a right of occupancy in respect of any land, he may use the land in any manner which does not render it unfit for the purposes of the tenancy; but shall not be entitled to cut down trees in contravention of any local custom.

24. An occupancy-raiyat shall pay rent for his holding at fair and equitable rates.

25. An occupancy-raiyat shall not be ejected by his landlord from his holding, except in execution of a decree for ejectment passed on the ground—

(a) that he has used the land comprised in his holding in a manner which renders it unfit for the purposes of the tenancy, or

(b) that he has broken a condition consistent with the provisions of this Act, and on breach of which he is, under the terms of a contract between himself and his landlord, liable to be ejected.

26. If a raiyat dies intestate in respect of a right of occupancy, it shall, subject to any custom to the contrary, descend in the same manner as other immoveable property: Provided that, in any case in which under the law of inheritance to which the raiyat is subject his other property goes to the Crown, his right of occupancy shall be extinguished.

Enhancement of rent.

27. The rent for the time being payable by an occupancy-raiyat shall be presumed to be fair and equitable until the contrary is proved.

28. Where an occupancy-raiyat pays his rent in money, his rent shall not be enhanced except as provided by this Act.

29. (1) The money-rent of an occupancy-raiyat may be enhanced by registered contract, subject to the following conditions:—

- (a) the rent must not be enhanced so as to exceed by more than two annas in the rupee the rent previously payable by the raiyat;
- (b) the contract must fix the rent for a term of at least fifteen years.

(2) The registering officer shall, before registering a contract under this section, ascertain that the contract is not inconsistent with sections 74 and 178 of this Act, and that the raiyat is competent and willing to enter into it, and understands its nature.

(3) Nothing in sub-section (1), clause (a), shall apply to a contract by which a raiyat binds

himself to pay an enhanced rent in consideration of an improvement which has been or is to be effected in respect of the holding by, or at the expense of, his landlord, and to the benefit of which the raiyat is not otherwise entitled; but an enhanced rent fixed by such a contract shall be payable only when the improvement has been effected, and, except when the raiyat is chargeable with default in respect of the improvement, only so long as the improvement exists and substantially produces its estimated effect in respect of the holding.

(4) The Local Government may, from time to time, subject to the control of the Governor General in Council, make rules for the guidance of officers registering contracts under this section.

30. The landlord of a holding held at a money-rent by an occupancy-raiyat may, subject to the provisions of this Act, institute a suit to enhance the rent on one or more of the following grounds, namely:—

- (a) that the rate of rent paid by the raiyat is below the prevailing rate paid by occupancy-raiyats for land of a similar description and with similar advantages in the same village, and that there is no sufficient reason for his holding at so low a rate;
- (b) that there has been a rise in the average local prices of staple food-crops during the currency of the present rent;
- (c) that the productive powers of the land held by the raiyat have been increased by an improvement effected by, or at the expense of, the landlord during the currency of the present rent;
- (d) that the productive powers of the land held by the raiyat have been increased by fluvial action.

Explanation.—"Fluvial action" includes a change in the course of a river rendering irrigation from the river practicable when it was not previously practicable.

31. Where an enhancement is claimed on the ground that the rate of rent paid is below the prevailing rate—

- (a) in determining what is the prevailing rate the Court shall have regard to the rates generally paid during a period of not less than three years before the institution of the suit, and shall not decree an enhancement unless there is a substantial difference between the rate paid by the raiyat and the prevailing rate found by the Court;
- (b) if in the opinion of the Court the prevailing rate of rent cannot be satisfactorily ascertained without a local inquiry, the Court may direct that a local inquiry be held under Chapter XXV of the Code of Civil Procedure by such Revenue-officer as the Local Government may authorize in that behalf by rules made under section 392 of the said Code;

Enhancement
of rent.

[D., § 43 (1)
and (2).]

C. B., s. 22
(1), (3) and
(4).

B. B., s. 23
(1), (3) and
(4).

Section 43.

[Section 44.]

XIV of
1882.

[Act XII of
1881, s. 20.]

*Bengal Tenancy Bill.**(Chapter V.—Occupancy-raiyats.—Secs. 32-38.)**Enhancement of rent.*

- (c) in determining under this section the rate of rent payable by a raiyat his caste shall not be taken into consideration, unless it is proved that by local custom caste is taken into account in determining the rate; and whenever it is found that by local custom any description of raiyats hold land at favourable rates of rent, the rate shall be determined in accordance with that custom;
- (d) in ascertaining the prevailing rate of rent the amount of any enhancement authorized on account of a landlord's improvement shall not be taken into consideration.

[Section 45.]

Rules as to enhancement on ground of rise in prices.

32. Where an enhancement is claimed on the ground of a rise in prices—

- (a) the Court shall compare the average prices during the decennial period immediately preceding the institution of the suit with the average prices during such other decennial period as it may appear equitable and practicable to take for comparison;
- (b) the enhanced rent shall bear to the previous rent the same proportion as the average prices during the last decennial period bear to the average prices during the previous decennial period taken for purposes of comparison: provided that, in calculating this proportion, the average prices during the later period shall be reduced by one-third of their excess over the average prices during the earlier period;
- (c) if in the opinion of the Court it is not practicable to take the decennial periods prescribed in clause (a), the Court may, in its discretion, substitute any shorter periods therefor.

[Section 46.]

Rules as to enhancement on ground of landlord's improvement.

33. Where an enhancement is claimed on the ground of a landlord's improvement—

- (a) the Court shall not grant an enhancement unless the improvement has been registered in accordance with this Act;
- (b) in determining the amount of enhancement the Court shall have regard to—
- (i) the increase in the productive powers of the lands caused or likely to be caused by the improvement,
 - (ii) the cost of the improvement,
 - (iii) the cost of the cultivation required for utilizing the improvement, and
 - (iv) the existing rent and the ability of the land to bear a higher rent;
- (c) a decree under this section shall, on the application of the tenant or his successor in interest, be subject to re-consideration in the event of the improvement not producing or ceasing to produce the estimated effect.

Rules as to enhancement on ground of increase of productive powers due to fluvial action.

34. Where an enhancement is claimed on the ground of an increase in productive powers due to fluvial action—

- (a) the Court shall not take into account any increase which is merely temporary or casual;
- (b) the Court may enhance the rent to such an amount as it may deem fair and equitable, but not so as to give the landlord more than one-half of the value of the net increase in the produce of the land.

35. Notwithstanding anything in the foregoing sections the Court

Enhancement by suit to be fair and equitable.

shall not in any case decree any enhancement which is under the circumstances of the case unfair or inequitable.

36. If the Court passing a decree for enhancement considers that the immediate enforcement of the decree in its full extent

will be attended with hardship to the raiyat, it may direct that the enhancement shall be gradual; that is to say, that the rent shall increase yearly by degrees for any number of years not exceeding five until the limit of the enhancement decreed has been reached.

37. (1) A suit instituted for the enhancement of the rent of a holding on the ground that the rate of rent paid is below the prevailing rate, or on the ground of a rise in prices, shall not be entertained if within the fifteen years next preceding its institution the rent of the holding has been enhanced by a contract made after the second day of March, 1858, or if within the said period of fifteen years the rent has been commuted under section 40 or a decree has been passed under this Act or any enactment repealed by this Act enhancing the rent on either of the grounds aforesaid or on any ground corresponding thereto or dismissing the suit on the merits.

(2) Nothing in this section shall affect the provisions of section 373 of the Code of Civil Procedure.

Reduction of rent.

38. (1) An occupancy-raiyat holding at a money-rent may institute a suit for the reduction of his rent on the following grounds, and, except as hereinafter provided in the case of a diminution of the area of the holding, not otherwise, namely:—

- (a) on the ground that the soil of the holding has without the fault of the raiyat

*Enhancement of rent.**[Section 47.]**[Section 48.]**[C. B., s. 23.]**[B. B., s. 24.]**[Section 49.]**[B. B., s. 143.]**[Section 50.]**XIV of**1882.**Procedure.**Reduction of rent.**Reduction of rent.**[D., § 47.]**C. B., s. 25**& (3).**B. B., s. 25**(2) & (3).**Section 51.*

Bengal Tenancy Bill.

(Chapter V.—Occupancy-raiyats.—Secs. 39-40.)

(Chapter VI.—Non-occupancy-raiyats.—Secs. 41-43.)

tion of

become permanently deteriorated by a deposit of sand or other specific cause, sudden or gradual, or

(b) on the ground that there has been a fall, not due to a temporary cause, in the average local prices of staple food-crops during the currency of the present rent.

(2) In any suit instituted under this section the Court may direct such reduction of the rent as it thinks fair and equitable.

Price-lists.

lists.

3, 123.
s. 145.
on 52.]

39. (1) The Collector of every district shall prepare, monthly, or at shorter intervals, periodical lists of the market-prices of staple food-crops grown in such local areas as the Local Government may from time to time direct, and shall submit them to the Board of Revenue for approval or revision.

(2) The Collector may, if so directed by the Local Government, prepare for any local area, like price-lists relating to such past times as the Local Government thinks fit, and shall submit the lists so prepared to the Board of Revenue for approval or revision.

(3) The Collector shall, one month before submitting a price-list to the Board of Revenue under this section, publish it in the prescribed manner within the local area to which it relates, and if any landlord or tenant of land within the local area within the said period of one month presents to him in writing any objection to the list, he shall submit the same to the Board of Revenue with the list.

(4) The price-lists shall, when approved or revised by the Board of Revenue, be published in the official Gazette; and any manifest error in any such list discovered after its publication may be corrected by the Collector with the sanction of the Board of Revenue.

(5) The Local Government shall cause to be compiled from the periodical lists prepared under this section lists of the average prices prevailing throughout each year, and shall cause them to be published annually in the official Gazette.

(6) In any proceedings under this chapter for an enhancement or reduction of rent on the ground of a rise or fall in prices, the Court shall refer to the lists published under this section, and shall presume that the prices shown thereby are correct, unless and until it is proved that they are incorrect.

(7) The Local Government, subject to the control of the Governor General in Council, shall make rules for determining what are to be deemed staple food-crops in any local area and for the guidance of officers preparing price-lists under this section.

Commutation.

40. (1) Where an occupancy-raiyat pays for a holding rent in kind, or on the estimated value of a portion of the crop, or at rates varying with the crop, or partly in one of those ways and partly in another, either the raiyat or his landlord may apply to have the rent commuted to a money-rent.

(2) The application may be made to the Collector or Sub-divisional Officer, or to an officer making a settlement of rents under Chapter X, or to any other officer specially authorized in this behalf by the Local Government.

(3) On the receipt of the application the officer may determine the sum to be paid as money-rent, and may order that the raiyat shall, in lieu of paying his rent in kind, or otherwise as aforesaid, pay the sum so determined.

(4) In making the determination the officer shall have regard to—

(a) the average money-rent payable by occupancy-raiyats for land of a similar description and with similar advantages in the vicinity;

(b) the average value of the rent actually received by the landlord during the preceding ten years or during any shorter period for which evidence may be available; and

(c) the charges incurred by the landlord in respect of irrigation under the system of rent in kind, and the arrangements made on commutation for continuing those charges.

(5) The order shall be in writing, shall state the grounds on which it is made, and the time from which it is to take effect, and shall be subject to appeal in like manner as if it were an order made in an ordinary revenue proceeding.

(6) If the application is opposed, the officer shall consider whether under all the circumstances of the case it is reasonable to grant it, and shall grant or refuse it accordingly. If he refuses it, he shall record in writing the reasons for the refusal.

CHAPTER VI.

NON-OCCUPANCY-RAIYATS.

41. This chapter shall apply to raiyats not having a right of occupancy, who are in this Act referred to as non-occupancy-raiyats. [Section 53]

42. When a non-occupancy-raiyat is admitted to the occupation of land, he shall become liable to pay such rent as may be agreed on between himself and his landlord at the time of his admission. [Section 54]

43. The rent of a non-occupancy-raiyat shall not be enhanced except by registered agreement or by agreement under section 46. [Section 55]

*Bengal Tenancy Bill.**(Chapter VI.—Non-occupancy-raiyats.—Secs. 44-47.)**(Chapter VII.—Under-raiyats.—Secs. 48-49.)*

C. B., s. 79
5)
B. B., ss.
26, 72 (5).
[Section 55.]

44. A non-occupancy-raiyat shall, subject to the provisions of this Act, be liable to ejectment on one or more of the following grounds, and not otherwise, namely:—

- (a) on the ground that he has failed to pay an arrear of rent;
- (b) on the ground that he has used the land in a manner which renders it unfit for the purposes of the tenancy, or that he has broken a condition consistent with this Act, and on breach of which he is, under the terms of a contract between himself and his landlord, liable to be ejected;
- (c) where he has been admitted to occupation of the land under a registered lease, on the ground that the term of the lease has expired;
- (d) on the ground that he has refused to agree to pay a fair and equitable rent determined under section 46, or that the term for which he is entitled to hold at such a rent has expired.

[Section 59.]

45. A suit for ejectment on the ground of the expiration of the term of a lease shall not be instituted against a non-occupancy-raiyat unless notice to quit has been served on the raiyat not less than six months before the expiration of the term, and shall not be instituted after six months from the expiration of the term.

[Section 60.]

46. (1) A suit for ejectment on the ground of refusal to agree to an enhancement of rent shall not be instituted against a non-occupancy-raiyat unless the landlord has tendered to the raiyat an agreement to pay the enhanced rent, and the raiyat has within three months before the institution of the suit refused to execute the agreement.

(2) A landlord desiring to tender an agreement to a raiyat under this section may file it in the office of such Court or officer as the Local Government appoints in this behalf for service on the raiyat. The Court or officer shall forthwith cause it to be served on the raiyat in the prescribed manner, and when it has been so served it shall for the purposes of this section be deemed to have been tendered.

(3) If a raiyat on whom an agreement has been served under sub-section (2) executes it, and within one month from the date of service files it in the office from which it issued, it shall take effect from the commencement of the agricultural year next following.

(4) When an agreement has been executed and filed by a raiyat under sub-section (3), the Court or officer in whose office it is so filed shall forthwith cause a notice of its being so executed and filed to be served on the landlord in the prescribed manner.

(5) If the raiyat does not execute the agreement and file it under sub-section (3), he shall be deemed for the purposes of this section to have refused to execute it.

(6) If a raiyat refuses to execute an agreement tendered to him under this section, and the landlord thereupon institutes a suit to eject him, the Court shall determine what rent is fair and equitable for the holding.

(7) If the raiyat agrees to pay the rent so determined, he shall be entitled to remain in occupation of his holding at that rent for a term of five years from the date of the agreement, but on the expiration of that term shall be liable to ejectment under the conditions mentioned in the last foregoing section, unless he has acquired a right of occupancy.

(8) If the raiyat does not agree to pay the rent so determined, the Court shall pass a decree for ejectment.

(9) In determining what rent is fair and equitable the Court shall have regard to the rents generally paid by raiyats for land of a similar description and with like advantages in the same village.

(10) A decree for ejectment passed under this section shall take effect from the end of the agricultural year in which it is passed.

47. Where a raiyat has been in occupation of land and a lease is executed with a view to a continuance of his occupation, he is not to be deemed to be admitted to occupation by that lease for the purposes of this chapter, notwithstanding that the lease may purport to admit him to occupation. [Section 61]

CHAPTER VII.

UNDER-RAIYATS.

48. The landlord of an under-raiyat holding at a money-rent shall not be entitled to recover rent exceeding the rent which he himself pays by more than the following percentage of the same, namely:— [Section 62]

(a) when the rent payable by the under-raiyat is payable under a registered lease or agreement—fifty per cent.; and

(b) in any other case—twenty-five per cent.

49. An under-raiyat shall not be liable to be ejected by his landlord, except at the end of an agricultural year and after a written notice to quit has been served on him in the prescribed manner not less than six months before the expiration of that year. [Section 63]

*Bengal Tenancy Bill.**(Chapter VIII.—General Provisions as to Rent.—Secs. 50—54.)*

CHAPTER VIII.

GENERAL PROVISIONS AS TO RENT.

Rules and presumptions as to amount of rent.

Rules and presumptions as to amount of rent.

[D., §§ 20 & 37.

C. B., ss. 6 & 16.

B. B., ss. 6 & 16.

Section 64.]

[D., §§ 21 & 38.

C. B., ss. 6 & 17.

B. B., ss. 6 & 16.]

50. (1) Where a tenure-holder or raiyat and his predecessors in interest have held at a rent or rate of rent which has not been changed from the time of the Permanent Settlement, the rent or rate of rent shall not be liable to be increased except on the ground of an alteration in the area of the holding.

(2) If it is proved in any suit or other proceeding under this Act that either a tenure-holder or raiyat and his predecessors in interest have held at a rent or rate of rent which has not been changed during the twenty years immediately before the institution of the suit or proceeding, it shall be presumed, until the contrary is shown, that they have held at that rent or rate of rent from the time of the Permanent Settlement:

Provided that if it is required by or under any enactment that in any local area tenancies, or any classes of tenancies, at fixed rents or rates of rent shall be registered as such on, or before a date specified by or under the enactment, the foregoing presumption shall not after that date apply to any tenancy or, as the case may be, to any tenancy of that class in that local area unless the tenancy has been so registered.

(3) The operation of this section, so far as it relates to land held by a raiyat, shall not be affected by the fact of the land having been separated from other land which formed with it a single holding, or amalgamated with other land into one holding.

(4) Nothing in this section shall apply to a tenure held for a term of years or determinable at the will of the landlord.

51. If a question arises as to the amount of a tenant's rent or the conditions under which he holds in any agricultural year, he shall be presumed, until the contrary is shown, to hold at the same rent and under the same conditions as in the last preceding agricultural year.

Alteration of rent on alteration of area.

Alteration of rent on alteration of area.

[D., §§ 19, 2,

(3) & 47.

B. B., ss. 6,

22 (2) &

(1).

B. B., ss. 8,

23 (2).

(1).

Section 66.]

52. (1) Every tenant shall—

(a) be liable to pay additional rent for all land proved by measurement to be in excess of the area for which rent has been previously paid by him, unless it is proved that the excess is due to the addition to the holding of land which having previously belonged to the holding was lost by diluvion or otherwise without any reduction of the rent being made, and

(b) be entitled to a reduction of rent in respect of any deficiency proved by measurement to exist in the area of his holding

as compared with the area for which rent has been previously paid by him, unless it is proved that the deficiency is due to the loss of land which was added to the area of the holding by alluvion or otherwise, and that an addition has not been made to the rent in respect of the addition to the area. *Alteration of rent on addition of*

(2) In determining the area for which rent has been previously paid, the Court shall, if so required by any party to the suit, have regard to—

(a) the origin and conditions of the tenancy, for instance, whether the rent was a consolidated rent for the entire holding;

(b) whether the tenant has been allowed to hold additional land in consideration of an addition to his total rent or otherwise with the knowledge and consent of the landlord;

(c) the length of time during which the tenancy has lasted without dispute as to rent or area; and

(d) the length of the measure used or in local use at the time of the origin of the tenancy as compared with that used or in local use at the time of the institution of the suit.

(3) In determining the amount to be added to the rent, the Court shall have regard to the rates payable by tenants of the same class for lands of a similar description and with similar advantages in the vicinity, and, in the case of a tenure-holder, to the profits to which he is entitled in respect of the rent of his tenure, and shall not in any case fix any rent which under the circumstances of the case is unfair or inequitable.

(4) The amount abated from the rent shall bear the same proportion to the rent previously payable as the diminution of the total yearly value of the holding bears to the previous total yearly value thereof, or, in default of satisfactory proof of the yearly value of the land lost, shall bear to the rent previously payable the same proportion as the diminution of area bears to the previous area of the holding.

Payment of rent.

53. Subject to agreement or established usage, a money-rent payable by a tenure-holder or raiyat shall be paid in four equal instalments falling due on the last day of each quarter of the agricultural year. *Payment of rent* [C. B., ss. 55 (a), B. B., ss. 4 (a), Section 67.]

54. (1) Every tenant shall pay each instalment of rent before sunset of the day on which it falls due. *Time and place for payment of rent.* [Section 66.]

(2) The payment shall, except in cases where a tenant is allowed under this Act to deposit his rent, be made at the landlord's village office, or at such other convenient place as may be appointed in that behalf by the landlord:

Provided that the Local Government may from time to time make rules, either generally or for

*Bengal Tenancy Bill.**(Chapter VIII.—General Provisions as to Rent.—Secs. 55—61.)*

of any specified local area, authorizing a tenant to pay his rent by postal money-order.

101. (3) Any instalment or part of an instalment
s. 56. of rent not duly paid at or before the time when it
s. 48.] falls due shall be deemed an arrear.

m 60.] 55. (1) When a tenant makes a payment on
Appropriation of pay- account of rent, he may de-
ments. clare the year or the year
and instalment to which he
wishes the payment to be credited, and the pay-
ment shall be credited accordingly.

(2) If he does not make any such declaration,
the payment may be credited to the account of
such year and instalment as the landlord thinks
fit.

Receipts and accounts.

to and s. 56. (1) Every tenant who makes a payment
s. 61. Tenant making pay- on account of rent to his
s. 57. ment to his landlord en- landlord shall be entitled to
s. 49. titled to a receipt. obtain forthwith from the
l (3). landlord a written receipt for the amount paid by
s. 70.] him, signed by the landlord.

(2) The landlord shall prepare and retain a
counterfoil of the receipt.

(3) The receipt and counterfoil shall specify
such of the several particulars shown in the form
of receipt given in Schedule II to this Act as
can be specified by the landlord at the time of
payment :

Provided that the Local Government may from
time to time prescribe or sanction a modified form
either generally or for any particular local area
or class of cases.

(4) If a receipt does not contain substantially
the particulars required by this section, it shall
be presumed, until the contrary is shown, to be an
acquittance in full of all demands for rent up to
the date on which the receipt was given.

s. 51. 57. (1) Where a landlord admits that all rent
s. 49. Tenant entitled to full payable by a tenant to the
s. 71.] discharge or statement of end of the agricultural year
account at close of year. has been paid, the tenant
shall be entitled to receive from the landlord, free
of charge, within three months after the end
of the year, a receipt in full discharge of all rent
falling due to the end of the year, signed by the
landlord.

(2) Where the landlord does not so admit, the
tenant shall be entitled, on paying a fee of four
annas, to receive within three months after the
end of the year a statement of account specifying
the several particulars shown in the form of
account given in Schedule II to this Act, or in
such other form as may from time to time be
prescribed by the Local Government either gene-
rally or for any particular local area or class of
cases.

(3) The landlord shall prepare and retain
a copy of the statement containing similar
particulars.

58. (1) If a landlord refuses or neglects to *Receipts and*
deliver to a tenant a receipt *accounts.*
containing the particulars [D., s. 65.
prescribed by section 56 for C. B., s. 57 (d)
any rent paid by the ten- B. B., ss. 49
ant, the tenant may, (d) & 94.
within six months from the date of payment, Section 72.]
institute a suit to recover from him such penalty,
not exceeding double the amount or value of that
rent, as the Court thinks fit.

(2) If a landlord refuses or neglects to deliver
to a tenant demanding the same the receipt in full
discharge or the statement of account for any year
prescribed in section 57, the tenant may, within
the next ensuing agricultural year, institute a
suit to recover from him such penalty as the
Court thinks fit, not exceeding double the aggre-
gate amount or value of all rent paid by the tenant
to the landlord during the year for which the re-
ceipt or account should have been delivered.

(3) If a landlord fails to prepare and retain a
counterfoil or copy of a receipt or statement as
required by either of the said sections, he shall be
punished with fine which may extend to fifty rupees.

59. (1) The Local Government shall cause to
Local Government to be prepared and kept for sale
prepare forms of receipt to landlords at all sub-divi-
and account. sional offices forms of receipts
with counterfoils and of statements of account
suitable for use under the foregoing sections.

(2) The forms may be sold in books with the
leaves consecutively numbered or otherwise as the
Local Government thinks fit.

60. Where rent is due to the proprietor, manager
or mortgagee of an estate,
Effect of receipt by the receipt of the person
registered proprietor. registered under the Land
Registration Act, 1876, as proprietor, manager or VII(B.C.)c
mortgagee of that estate, or of his agent authorized 1876.
in that behalf, shall be a sufficient discharge for
the rent ; and the person liable for the rent shall
not be entitled to plead in defence to a claim by
the person so registered that the rent is due to any
third person.

But nothing in this section shall affect any
remedy which any such third person may have
against the registered proprietor, manager or mort-
gagee.

Deposit of rent.

Application to deposit 61. (1) In any of the *Deposit of*
rent in Court. following cases, namely :— *rent.*

- (a) when a tenant tenders money on account [D., s. 99.
of rent and the landlord refuses to re- C. B., ss. 58
ceive it or refuses to grant a receipt for it ; & 59.
& 51.
(b) when a tenant bound to pay money on B. B., ss. 50
account of rent has reason to believe, Section 73.]
owing to a tender having been refused
or a receipt withheld on a previous
occasion, that the person to whom his
rent is payable will not be willing to re-
ceive it and to grant him a receipt for it ;
(c) when the rent is payable to co-sharers
jointly, and the tenant is unable to ob-
tain the joint receipt of the co-sharers
for the money, and no person has been
empowered to receive the rent on their
behalf ; or

*Bengal Tenancy Bill.**(Chapter VIII.—General Provisions as to Rent.—Secs. 62—66.)*

it of (d) when the tenant entertains a *bonâ fide* doubt as to who is entitled to receive the rent;

the tenant may present to the Court having jurisdiction to entertain a suit for the rent of his holding an application in writing for permission to deposit in the Court the full amount of the money then due.

(2) The application shall contain a statement of the grounds on which it is made; shall state—

in cases (a) and (b), the name of the person to whose credit the deposit is to be entered, in case (c), the names of the sharers to whom the rent is due, or of so many of them as the tenant may be able to specify, and in case (d), the names of the person to whom the rent was last paid and of the person or persons now claiming it;

shall be signed and verified, in the manner prescribed in section 52 of the Code of Civil Procedure, by the tenant, or, where he is not personally cognizant of the facts of the case, by some person so cognizant; and shall be accompanied by a fee of such amount as the Local Government, from time to time, by rule, directs.

62. (1) If it appears to the Court to whom an application is made under the last foregoing section that the applicant is entitled under that section to deposit the rent, it shall receive the rent and give a receipt for it under the seal of the Court.

(2) A receipt given under this section shall operate as an acquittance for the amount of the rent payable by the tenant and deposited as aforesaid, in the same manner and to the same extent as if that amount of rent had been received—

in cases (a) and (b) of the last foregoing section, by the person specified in the application as the person to whose credit the deposit was to be entered;

in case (c) of that section, by the co-sharers to whom the rent is due; and

in case (d) of that section, by the person entitled to the rent.

63. (1) The Court receiving the deposit shall forthwith cause to be affixed in a conspicuous place at the Court-house a notification of the receipt thereof, containing a statement of all material particulars.

(2) If the amount of the deposit is not paid away under the next following section, within the period of fifteen days next following the date on which the notification is so affixed, the Court shall forthwith—

in cases (a) and (b) of section 61, cause a notice of the receipt of the deposit to be served, free of charge, on the person specified in the application as the person to whose credit the deposit was to be entered;

in case (c) of that section, cause a notice of the receipt of the deposit to be posted at the land-

lord's village-office or in some conspicuous *Depon* place in the village in which the holding is *rent* situate; and

in case (d) of that section, cause a like notice to be served, free of charge, on every person who it has reason to believe claims or is entitled to the deposit.

64. (1) The Court may pay the amount of the deposit to any person appearing to it to be entitled to the same, or may, if it thinks fit, retain the amount pending the decision of a Civil Court as to the person so entitled.

(2) The payment may, if the Local Government so direct, be made by postal money-order.

(3) If no payment is made under this section before the expiration of three years from the date on which a deposit is made, the amount deposited may, in the absence of any order of a Civil Court to the contrary, be repaid to the depositor upon his application and on his returning the receipt given by the Court with which the rent was deposited.

(4) No suit or other proceeding shall be instituted against the Secretary of State for India in Council, or against any officer of the Government, in respect of anything done by a Court receiving a deposit under the foregoing sections; but nothing in this section shall prevent any person entitled to receive the amount of any such deposit from recovering the same from a person to whom it has been paid under this section.

Arrears of rent.

65. Where a tenant is a tenure-holder, a raiyat holding at fixed rates or an occupancy-raiyat, he shall not be liable to ejectment for arrears of rent, but his tenure or holding shall be liable to sale in execution of a decree for the rent thereof, and the rent shall be a first charge thereon.

66. (1) When an arrear of rent remains due in respect of the holding of a non-occupancy-raiyat or an under-raiyat at the end of the Bengali year where that year prevails, or at the end of the month of Jeyt where the Fasli or Amli year prevails, the landlord may, whether he has obtained a decree for the recovery of the arrear or not, and whether he is entitled by the terms of any contract to eject the tenant for arrears or not, institute a suit to eject the tenant.

(2) In a suit for ejectment for an arrear of rent a decree passed in favour of the plaintiff shall specify the amount of the arrear and of the interest (if any) due thereon, and the decree shall not be executed if that amount and the costs of the suit are

99 &

s. 60.
s. 52.
n 74.]

100.
s. 61(a).
s. 53
n 75.]

(D. 5)
C. B. 1
cia (b)
B. B. 1
cia (b)

Section

Arrear.
rent.
[C. B. 1
B. B. 1
Section

(D. 5)
& 93.
C B. 1
& 152.
B. B.
(5) &
Section

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paid into Court within fifteen days from the date of the decree, or, when the Court is closed on the fifteenth day, on the day upon which the Court re-opens.

(3) The Court may for special reasons extend the period of fifteen days mentioned in this section.

67. An arrear of rent shall bear simple interest at the rate of twelve per centum per annum from the expiration of that quarter of the agricultural year in which the instalment falls due to the institution of the suit.

68. (1) If, in any suit brought for the recovery of arrears of rent, it appears to the Court that the defendant has, without reasonable or probable cause, neglected or refused to pay the amount of rent due by him, the Court may award to the plaintiff, in addition to the amount decreed for rent and costs, such damages, not exceeding twenty-five per centum on the amount of rent decreed, as it thinks fit:

Provided that interest shall not be decreed when damages are awarded under this section.

(2) If, in any suit brought for the recovery of arrears of rent, it appears to the Court that the plaintiff has instituted the suit without reasonable or probable cause, the Court may award to the defendant, by way of damages, such sum, not exceeding twenty-five per centum on the whole amount claimed by the plaintiff, as it thinks fit.

Produce-rents.

69. (1) Where rent is taken by appraisement or division of the produce,—

(a) if either the landlord or the tenant neglects to attend, either personally or by agent, at the proper time for making the appraisement or division, or

(b) if there is a dispute about the quantity, value or division of the produce,

the Collector may, on the application of either party, and on his depositing such sum on account of expenses as the Collector may require, make an order appointing such officer as he thinks fit to appraise or divide the produce.

(2) The Collector may, without such an application, make the like order in any case where in the opinion of the District or Sub-divisional Magistrate the making of the order would be likely to prevent a breach of the peace.

(3) Where a Collector makes an order under this section, he may by order prohibit the removal of the produce until the appraisement or division has been effected.

70. (1) When a Collector appoints an officer under the last foregoing section, the Collector may, in his discretion, direct the officer to associate with himself any other persons as assessors, and may give him instructions regarding the number, qualifications and mode of selection of those assessors (if any), and the procedure to be followed in making the appraisement or division; and the officer shall conform to the instructions so given.

(2) The officer shall, before making an appraisement or division, give notice to the landlord and tenant of the time and place at which the appraisement or division will be made, but if either the landlord or the tenant fails to attend either personally or by agent, he may proceed *ex parte*.

(3) When the officer has made the appraisement or division, he shall submit a report of his proceedings to the Collector.

(4) The Collector shall consider the report, and, after giving the parties an opportunity of being heard and making such enquiry (if any) as he may think necessary, shall pass such order thereon as he thinks just.

(5) The Collector may, if he thinks fit, refer any question in dispute between the parties for the decision of a Civil Court, but, subject as aforesaid, his order shall be final and shall, on application to a Civil Court by the landlord or the tenant, be enforceable as a decree.

(6) Where the officer makes an appraisement, the appraisement papers shall be filed in the Collector's office.

71. (1) Where rent is taken by appraisement of the produce, the tenant shall be entitled to the exclusive possession of the produce.

(2) Where rent is taken by division of the produce, the tenant shall be entitled to the exclusive possession of the whole produce until it is divided, but shall not be entitled to remove any portion of the produce from the threshing-floor at such a time or in such a manner as to prevent the due division thereof at the proper time.

(3) In either case the tenant shall be entitled to cut and harvest the produce in due course of husbandry without any interference on the part of the landlord.

(4) If the tenant removes any portion of the produce at such a time or in such a manner as to prevent the due appraisement or division thereof at the proper time, the produce shall be deemed to have been as full as the fullest crop of the same description appraised in the neighbourhood on similar land for that harvest.

Bengal Tenancy Bill.

(Chapter VIII.—General Provisions as to Rent.—Secs. 72—75.)

(Chapter IX.—Miscellaneous Provisions as to Landlords and Tenants.—Secs. 76—79.)

Liability for rent on change of landlord or after transfer of holding.

Liability for rent on change of landlord or after transfer of holding. D., § 9. J. B., s. 78. B. B., s. 70. Section 84.]

72. (1) A tenant shall not, when his landlord's interest is transferred, be liable to the transferee for rent which became due after the transfer and was paid to the landlord whose interest was so transferred, unless the transferee has before the payment given notice of the transfer to the tenant.

(2) Where there is more than one tenant paying rent to the landlord whose interest is transferred, a general notice from the transferee to the tenants published in the prescribed manner shall be a sufficient notice for the purposes of this section.

73. When an occupancy-raiyat transfers his holding without the consent of the landlord, the transferor and transferee shall be jointly and severally liable to the landlord for arrears of rent accruing due after the transfer, unless and until notice of the transfer is given to the landlord in the prescribed manner.

Illegal Cesses, &c.

Illegal cesses, &c. D., §§ 13 & 57. J. B., s. 71. B. B., s. 63. Section 85.]

74. All impositions upon tenants under the denomination of *abwab*, *mah-tal*, or other like appellations, in addition to the actual rent, shall be illegal, and all stipulations and reservations for the payment of such shall be void.

D., § 64. J. B., s. 63. Section 86.]

75. Every tenant from whom, except under any special enactment for the time being in force, any sum of money or any portion of the produce of his land is exacted by his landlord in excess of the rent lawfully payable, may, within six months from the date of the exaction, institute a suit to recover from the landlord, in addition to the amount or value of what is so exacted, such sum by way of penalty as the Court thinks fit, not exceeding two hundred rupees; or, when double the amount or value of what is so exacted exceeds two hundred rupees, not exceeding double that amount or value.

CHAPTER IX.**MISCELLANEOUS PROVISIONS AS TO LANDLORDS AND TENANTS.****Improvements.**

Improvements. C. B., s. 29. J. B., s. 69. Section 87.]

76. (1) For the purposes of this Act the term "improvement," used with reference to a raiyat's holding, shall mean any work which adds to the value of the holding, which is suitable to the holding and consistent with the purpose for which it was let, and which, if not executed on the holding, is either executed

directly for its benefit, or is, after execution, made *improvement* directly beneficial to it.

(2) Until the contrary is shown, the following shall be presumed to be improvements within the meaning of this section:—

- (a) the construction of wells, tanks, water-channels and other works for the storage, supply or distribution of water for the purposes of agriculture, or for the use of men and cattle employed in agriculture;
- (b) the preparation of land for irrigation;
- (c) the drainage, reclamation from rivers or other waters, or protection from floods, or from erosion or other damage by water, of land used for agricultural purposes, or waste-land which is culturable;
- (d) the reclamation, clearance, enclosure or permanent improvement of land for agricultural purposes;
- (e) the renewal or re-construction of any of the foregoing works, or alterations therein, or additions thereto; and
- (f) the erection of a suitable dwelling-house for the raiyat and his family, together with all necessary out-offices.

(3) But no work executed by the raiyat of a holding shall be deemed to be an improvement for the purposes of this Act if it substantially diminishes the value of his landlord's property.

77. Where a raiyat holds at fixed rates, his landlord shall not be entitled, as such, to prevent him from making any improvement in respect of his holding. Section

78. (1) Where a raiyat has an occupancy-right in his holding, neither the raiyat nor his landlord shall, as such, be entitled to prevent the other from making an improvement in respect of the holding, except on the ground that he is willing to make it himself. C. B., s. 29. Section 88.]

(2) If both the raiyat and his landlord wish to make the same improvement, the raiyat shall have the prior right to make it, unless it affects another holding or other holdings under the same landlord.

(3) If a question arises between the raiyat and his landlord—

- (a) as to the right to make an improvement, or
- (b) as to whether a particular work is an improvement,

the Collector may, on the application of either party, decide the question, and his decision shall be final.

79. (1) A non-occupancy-raiyat shall be entitled to construct, maintain and repair a well for the irrigation of his holding, with all C. B., s. 29. Section 89.]

Right to make improvement in case of non-occupancy-holding.

*Bengal Tenancy Bill.**(Chapter IX.—Miscellaneous Provisions as to Landlords and Tenants.—Secs. 80—84.)*

Improvements. works incidental thereto, and to erect a suitable dwelling-house for himself and his family, with all necessary out-offices; but shall not, except as aforesaid and as next hereinafter provided, be entitled to make any other improvement in respect of his holding without his landlord's permission.

(2) A non-occupancy-raiyat who would, but for the want of his landlord's permission, be entitled to make an improvement in respect of his holding, may, if he desires that the improvement be made, deliver, or cause to be delivered, to his landlord a request in writing calling upon him to make the improvement within a reasonable time; and, if the landlord is unable or neglects to comply with that request, may make the improvement himself.

Section 80.] **80.** (1) A landlord may, by application to such ^{Registration of land-} Revenue officer as the Local ^{land's improvements.} Government may appoint, register any improvement which he has lawfully made or which has been lawfully made at his expense or which he has assisted a tenant in making.

(2) The application shall be in such form, shall contain such information, and shall be verified in such manner, by local inquiry or otherwise, as the Local Government from time to time by rule directs.

(3) The officer receiving the application may reject it if it has not been made within twelve months—

(a) in the case of improvements made before the commencement of this Act—from the commencement of this Act;

(b) in the case of improvements made after the commencement of this Act—from the date of the completion of the work.

Section 81.] **81.** (1) If any landlord or tenant of a holding ^{Application to record evidence as to improvement.} desires that evidence relating to any improvement made in respect thereof be recorded, he may apply to a Revenue-officer, who shall thereupon, at a time and place of which notice shall be given to the parties, record the evidence, unless he considers that there are no reasonable grounds for making the application, or it is made to appear that the subject matter thereof is under inquiry in a Civil Court.

(2) When any matter has been recorded under this section, the record thereof shall be admissible in evidence in any subsequent proceedings between the landlord and tenant or any persons claiming under them.

Section 82.] **82.** (1) Every raiyat who is ejected from his holding ^{Compensation for raiyat's improvements.} shall be entitled to compensation for improvements which have been made in respect thereof in accordance with this Act by him, or by his predecessor in interest, and for which compensation has not already been paid.

(2) Whenever a Court makes a decree or order for the ejectment of a raiyat, it shall determine the amount of compensation (if any) due under this section to the raiyat for improvements, and shall make the decree or order of ejectment conditional on the payment of that amount to the raiyat.

(3) No compensation under this section for an improvement shall be claimable where the raiyat has made the improvement in pursuance of a contract or under a lease binding him, in consideration of some substantial advantage to be obtained by him, to make the improvement without compensation, and he has obtained that advantage.

(4) Improvements made by a raiyat between the 2nd day of March, 1883, and the commencement of this Act shall be deemed to have been made in accordance with this Act.

(5) The Local Government may, from time to time, by notification in the official Gazette, make rules requiring the Court to associate with itself, for the purpose of estimating the compensation to be awarded under this section for an improvement, such number of assessors as the Local Government thinks fit, and determining the qualifications of those assessors and the mode of selecting them.

Section 83.] **83.** (1) In estimating the compensation to be ^{Principle on which} awarded under the last foregoing section for an improvement, regard shall be had—

(a) to the amount by which the value, or the produce, of the holding, or the value of that produce, is increased by the improvement;

(b) to the condition of the improvement, and the probable duration of its effects;

(c) to the labour and capital required for the making of such an improvement;

(d) to any reduction or remission of rent or any other advantage given by the landlord to the raiyat in consideration of the improvement; and

(e) in the case of a reclamation or of the conversion of unirrigated into irrigated land, to the length of time during which the raiyat has had the benefit of the improvement at an unenhanced rent.

(2) When the amount of the compensation has been assessed, the Court may, if the landlord and raiyat agree, direct that, instead of being paid wholly in money, it shall be made wholly or partly in some other way.

Acquisition of land for building and other purposes.

84. A Civil Court may, on the application of the landlord of a holding, ^{Acquisition of land for building and other purposes.} and on being satisfied that he is desirous of acquiring the holding or part thereof for some reasonable and sufficient purpose having relation to the good of the holding or of the estate in which it is comprised, including the use of the ground as building ground, or for any religious, educational or charitable purpose, and on being satisfied on the certificate of the Collector that the purpose is reasonable and suffi-

*Bengal Tenancy Bill.**(Chapter IX.—Miscellaneous Provisions as to Landlords and Tenants—Secs. 85–88.)*

acquisition of *and for* *ilding and* *ter pur-* *ses.*
 cient, authorise the acquisition thereof by the landlord upon such conditions as the Court may think fit, and require the tenant to sell his interest in the whole or such part of the holding to the landlord upon such terms as may be approved by the Court, including full compensation to the tenant.

Sub-letting.

sub-letting. 85. (1) If a raiyat sub-lets otherwise than by a registered instrument, the sub-lease shall not be valid against his landlord unless made with the landlord's consent.

(2) A sub-lease by a raiyat shall not be admitted to registration if it purports to create a term exceeding nine years.

(3) Where a raiyat has without the consent of his landlord granted a sub-lease by an instrument registered before the commencement of this Act, the sub-lease shall not be valid for more than nine years from the commencement of this Act.

Surrender and abandonment.

surrender *and abandon-* *ment.* 86. (1) A raiyat not bound by a lease or other agreement for a fixed period may, at the end of any agricultural year, surrender his holding.

(2) But, notwithstanding the surrender, the raiyat shall be liable to indemnify the landlord against any loss of the rent of the holding for the agricultural year next following the date of the surrender, unless he gives to his landlord, at least three months before he surrenders, notice of his intention to surrender.

(3) When a raiyat has surrendered his holding the Court shall in the following cases for the purposes of sub-section (2) presume, until the contrary is shown, that such notice was so given, namely:—

(a) if the raiyat takes a new holding in the same village from the same landlord during the agricultural year next following the surrender;

(b) if the raiyat ceases, at least three months before the end of the agricultural year at the end of which the surrender is made, to reside in the village in which the surrendered holding is situate.

(4) The raiyat may, if he thinks fit, cause the notice to be served through the Civil Court within the jurisdiction of which the holding or any portion of it is situate.

(5) When a raiyat has surrendered his holding the landlord may enter on the holding and either let it to another tenant or take it into cultivation himself.

(6) When a holding is subject to an incumbrance secured by a registered instrument, the surrender of the holding shall not be valid unless it is made with the consent of the landlord and the incumbrancer.

(7) Save as provided in the foregoing sub-section, nothing in this section shall affect any arrangement by which a raiyat and his landlord may arrange for a surrender of the whole or a part of the holding.

87. (1) If a raiyat voluntarily abandons his residence without notice to his landlord and without arranging for payment of his rent as it falls due, and ceases to cultivate his holding either by himself or by some other person, the landlord may, at any time after the expiration of the agricultural year in which the raiyat so abandons and ceases to cultivate, enter on the holding and let it to another tenant or take it into cultivation himself.

(2) Before a landlord enters under this section he shall file a notice in the prescribed form in the Collector's office stating that he has treated the holding as abandoned and is about to enter on it accordingly; and the Collector shall cause the notice to be published in such manner as the Local Government by rule directs.

(3) When a landlord enters under this section, the raiyat shall be entitled to institute a suit for recovery of possession of the land at any time not later than the expiration of two years, or, in the case of a non-occupancy-raiyat, six months, from the date of the publication of the notice; and thereupon the Court may, on being satisfied that the raiyat did not voluntarily abandon his holding, order recovery of possession on such terms, if any, with respect to compensation to persons injured and payment of arrears of rent as to the Court may seem just.

(4) Where the whole or part of a holding has been sub-let by a registered instrument, the landlord shall, before entering under this section on the holding, offer the whole holding to the sub-lessee for the remainder of the term of the sub-lease at the rent paid by the raiyat who has ceased to cultivate the holding, and on condition of the sub-lessee paying up all arrears due from that raiyat. If the sub-lessee refuses or neglects within a reasonable time to accept the offer, the landlord may avoid the sub-lease and may enter on the holding and let it to another tenant or cultivate it himself as provided in sub-sections (1) and (2).

Sub-division of tenancy.

88. A division of a tenure or holding or distribution of the rent payable in respect thereof shall not be binding on the landlord unless it is made with his consent in writing.

Sub-division *of tenancy* *(B. B., no. 37, Bengal VIII of 1880, s. 26, Section 87)*

*Bengal Tenancy Bill.**(Chapter IX.—Miscellaneous Provisions as to Landlords and Tenants.—Secs. 89—96.)**Ejection.*

89. No tenant shall be ejected from his holding except in execution of a decree.

Measurements.

90. (1) Subject to the provisions of this section and any contract, a landlord may, by himself, or by any person authorized by him on this behalf, enter on and measure all land comprised in his estate or tenure, other than land exempt from the payment of revenue.

(2) A landlord shall not, without the consent of the tenant, or the written permission of the Collector, be entitled to measure land more than once in ten years, except in the following cases:—

- (a) where the area of the holding is liable, by reason of alluvion or diluvion, to vary from year to year, and the rent payable depends on the area;
- (b) where the area under cultivation is liable to vary from year to year and the rent payable depends on the area under cultivation;
- (c) where the landlord is a purchaser otherwise than by voluntary transfer and not more than two years have elapsed since the date of his entry under the purchase.

(3) The ten years shall be computed from the date of the last measurement, whether made before or after the commencement of this Act.

91. (1) Where a landlord desires to measure any land which he is entitled to measure under the last foregoing section, the Civil Court may, on the application of the landlord, make an order requiring the tenant to attend and point out the boundaries of the land.

(2) If the tenant refuses or neglects to comply with the order, a map or other record of the boundaries and measurements of the land, prepared under the direction of the landlord at the time when the tenant was directed to attend, shall be presumed to be correct until the contrary is shown.

92. (1) Every measurement of land made by order of a Civil Court, or of a Revenue-officer, in any suit or proceeding between a landlord and tenant, shall be made by the acre, unless the Court or Revenue-officer directs that it be made by any other specified standard.

(2) If the rights of the parties are regulated by any local measure other than the acre, the

acre shall be converted into the local measure for the purposes of the suit or proceeding.

(3) The Local Government may, after local enquiry, make rules declaring for any local area the standard or standards of measurement locally in use in that area, and every declaration so made shall be presumed to be correct until the contrary is shown.

Managers.

93. When any dispute exists between co-owners of an estate or tenure as to the management thereof, and in consequence there has ensued, or is likely to ensue,

- (a) inconvenience to the public, or
- (b) injury to private rights,

the District Judge may, on the application in case (a) of the Collector, and in case (b) of any one having an interest in the estate or tenure, direct a notice to be served on all the co-owners, calling on them to show cause why they should not appoint a common manager:

Provided that a co-owner of an estate or tenure shall not be entitled to apply under this section unless he is actually in possession of the interest he claims, and, if he is a co-owner of an estate, unless his name and the extent of his interest are registered under the Land Registration Act, 1876.

94. If the co-owners fail to show cause as aforesaid within one month after the service of a notice under the last foregoing section, the District Judge may make an order directing them to appoint a common manager, and a copy of the order shall be served on any co-owner who did not appear before it was made.

95. If the co-owners do not, within such period, not being less than one month after the making of an order under the last foregoing section, as the District Judge may fix in this behalf, or, where the order has been served as directed by that section, within a like period after such service, appoint a common manager and report the appointment for the information of the District Judge, the District Judge may, unless it is shown to his satisfaction that there is a prospect of a satisfactory arrangement being made within a reasonable time,—

- (a) direct that the estate or tenure be managed by the Court of Wards in any case in which the Court of Wards consents to undertake the management thereof; or
- (b) in any case appoint a manager.

96. The Local Government may nominate a person for any local area to manage all estates and tenures within that local area for which it may be

*Bengal Tenancy Bill.**(Chapter IX.—Miscellaneous Provisions as to Landlords and Tenants.—Secs. 97—100.)**(Chapter X.—Record-of-rights and Settlement of Rents.—Secs. 101-102.)*

necessary to appoint a manager under clause (b) of the last foregoing section; and, when any person has been so nominated, no other person shall be appointed manager under that clause by the District Judge, unless in the case of any estate the Judge thinks fit to appoint one of the co-owners themselves as manager.

.66(3). 97. In any case in which the Court of Wards
.58(3). The Court of Wards undertakes under section 95
[106.] Act, 1879, applicable to the management of an estate
management by Court of or tenure, so much of the
Wards. provisions of the Court of
Wards Act, 1879, as relates to the management
C. of of immoveable property shall apply to the man-
agement.

s. 67. 98. (1) A manager appointed under section
s. 59. 95 may, if the District
[107.] Provisions applicable Judge thinks fit, be remuner-
to manager. ated by a fixed salary or
percentage of the money collected by him as man-
ager, or partly in one way and partly in the other,
as the District Judge from time to time directs.

(2) He shall give such security for the proper discharge of his duties as the District Judge directs.

(3) He shall, subject to the control of the District Judge, have, for the purposes of management, the same powers as the co-owners jointly might but for his appointment have exercised, and the co-owners shall not exercise any such power.

(4) He shall deal with and distribute the profits in accordance with the orders of the District Judge.

(5) He shall keep regular accounts, and allow the co-owners or any of them to inspect and take copies of those accounts.

(6) He shall pass his accounts at such period and in such form as the District Judge may direct.

(7) He may make any application which the proprietors could make under section 103.

(8) He shall be removeable by the order of the District Judge, and not otherwise.

s. 68. 99. When an estate or tenure has been placed
s. 60. under the management of
[108.] Power to restore man- the Court of Wards, or a
agement to co-owners. manager has been appointed
for the same under section 95, the District Judge
may at any time direct that the management of it
be restored to the co-owners, if he is satisfied that
the management will be conducted by them
without inconvenience to the public or injury to
private rights.

100. The High Court may from time to time
Power to make rules. make rules defining the powers
and duties of managers
under the foregoing sections.

CHAPTER X.

RECORD-OF-RIGHTS AND SETTLEMENT OF RENTS.

101. (1) The Local Government may, in any [Sections 110
Power to order pre- case with the previous sanc- & 117.]
paration of record-of- tion of the Governor General
rights. in Council, and may, if it

thinks fit, without such sanction in any of the cases next hereinafter mentioned, make an order directing that a survey be made, and a record-of-rights be prepared, in respect of the lands in a local area by a Revenue-officer.

(2) The cases in which an order may be made under this section without the previous sanction of the Governor General in Council are the following, namely:—

(a) where the landlord or a large proportion of the landlords or of the tenants applies for such an order and deposits, or gives security for, such amount, for the payment of expenses, as the Local Government directs;

(b) where the preparation of such a record is calculated to settle or avert a serious dispute existing or likely to arise between the tenants and their landlords generally;

(c) where the local area is comprised in an estate or tenure which belongs to or is managed by the Government or the Court of Wards; and

(d) where a settlement of revenue is being made in respect of the local area.

(3) A notification in the official Gazette of an order under this section shall be conclusive evidence that the order has been duly made.

102. Where an order is made under the last [Sections 111
Particulars to be re- foregoing section, the parti- & 118 (1).]
corded. culars to be recorded shall

be specified in the order, and may include, either without or in addition to other particulars, some or all of the following, namely:—

(a) the name of each tenant;

(b) the class to which he belongs, that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, occupancy-raiyat, non-occupancy-raiyat or under-raiyat, and, if he is a tenure-holder, whether he is a permanent tenure-holder or not, and whether his rent is liable to enhancement during the continuance of his tenure;

(c) the situation, quantity and boundaries of the land held by him;

(d) the name of his landlord;

(e) the rent payable;

(f) the mode in which that rent has been fixed, whether by contract, by order of a Court, or otherwise;

*Bengal Tenancy Bill.**(Chapter X.—Record-of-rights and Settlement of Rents.—Secs. 103—111.)*

(g) if the rent is a gradually increasing rent, the time at which, and the steps by which, it increases;

(4) the special conditions and incidents, if any, of the tenancy.

tion 112.] 103. On the application of a proprietor or

Power for Revenue-officer to record particulars on application of proprietor or tenure-holder.

tenure-holder, and on his depositing or giving security for the required amount for expenses, a Revenue-officer

may, subject to and in accordance with rules made in this behalf by the Local Government, ascertain and record the particulars specified in the last foregoing section with respect to the estate or tenure or any part thereof.

tion 113 104. (1) When, in any proceeding under this

Procedure as to recording or settling rents.

chapter, it does not appear that the tenant is holding

land in excess of or less than that for which he is paying rent, and neither the landlord nor the tenant applies for a settlement of rent, the officer shall record the rent payable by the tenant, and the land in respect of which the rent is payable.

(2) When it appears that a tenant is holding land in excess of, or less than, that for which he is paying rent, or either the landlord or the tenant applies for a settlement of rent, or in any case under section 101, sub-section (2), clause (d), the officer shall settle a fair and equitable rent in respect of the land held by the tenant.

tion 115 (3) In settling rents under this section, the officer shall presume, until the contrary is proved, that the existing rent is fair and equitable, and shall have regard to the rules laid down in this Act for the guidance of the Civil Court in increasing or reducing rents.

tions 113 & (7).] 105. (1) When the Revenue-officer has completed a record made under

Publication of record.

this chapter, he shall cause a draft thereof to be locally published in the prescribed manner and for the prescribed period, and shall receive and consider any objection which may be made to any entry therein during the period of publication.

(2) After the expiration of this period the Revenue-officer shall finally frame the record, and shall cause it to be locally published in the prescribed manner, and the publication shall be conclusive evidence that the record has been duly made under this chapter.

tions 114 & (2).] 106. If at any time before the final publication

Procedure in case of dispute as to entries in record.

of the record under the last foregoing section a dispute arises as to the correctness of

any entry (not being an entry of a rent settled under this chapter), or as to the propriety of any omission, which the Revenue-officer proposes to make or has made therein or therefrom, the Revenue-officer shall hear and decide the dispute.

107. In all proceedings for the settlement of rents under this chapter, and

Procedure to be adopted by Revenue-officer.

in all proceedings under the last foregoing section, the Revenue-officer shall, subject to rules made by the

Local Government under this Act, adopt the procedure laid down in the Code of Civil Procedure XIV of 1882. for the trial of suits, and his decision in every such proceeding shall have the force of a decree.

108. (1) The Local Government shall appoint

Appeals from decisions of Revenue-officers.

one or more persons to be a Special Judge or Special

Judges for the purpose of hearing appeals from the decisions of Revenue-officers under the last foregoing section.

(2) An appeal shall lie to the Special Judge from the decision of a Revenue-officer under the last foregoing section, and the provisions of the Code of Civil Procedure relating to appeals shall, as nearly as may be, apply to all such appeals. XIV of 1882.

(3) Subject to the provisions of Chapter XLII of the Code of Civil Procedure, an appeal shall lie to the High Court from the decision of a Special Judge in any case under section 106 as if he were a Court subordinate to the High Court within the meaning of the first section of that chapter: XIV of 1882.

Provided that, if in a second appeal the High Court alters the decision of the Special Judge in respect of any of the particulars with reference to which the rent of any holding has been settled, the Court may settle a new rent for the holding, but in so doing shall be guided by the rents of the other holdings of the same class comprised in the same record as ascertained or settled under section 104.

109. (1) Every record made under this chapter

Undisputed entries in record to be presumptive evidence.

shall distinguish between the disputed and the undisputed entries therein.

(2) Every undisputed entry in the record shall be presumed to be correct until the contrary is proved.

110. When any rent is settled under this chap-

Time at which settlement of rent is to take effect.

ter, the settlement shall take effect from the beginning of the agricultural year next after the final publication of the record.

Stay of proceedings in Civil Court during preparation of record.

111. When an order has been made under section (4).]

101,—

(a) a Civil Court shall not, until the final publication of the record, entertain a suit or application for the alteration of the rent or the determination of the status of any tenant in the area to which the order applies; and

(b) the High Court may, if it thinks fit, transfer to the Revenue-officer any proceedings pending in a local Court for the alteration of any such rent or for the determination of any of the matters specified or referred to in section 102.

*Bengal Tenancy Bill.**(Chapter X.—Record-of-rights and Settlement of Rents.—Secs. 112-115.)**(Chapter XI.—Record of Proprietors' Private Lands.—Secs. 116-120.)**(Chapter XII.—Distraint.—Sec. 121.)*

112. (J) The Local Government, with the previous sanction of the Governor General in Council, may, on being satisfied that the exercise of the powers hereinafter mentioned is necessary in the interests of public order or of the local welfare, invest a Revenue-officer acting under this chapter with the following powers or either of them, namely:—

- (a) power to settle all rents ;
 (b) power, when settling rents, to reduce rents if in the opinion of the officer the maintenance of existing rents would on any ground, whether specified in this Act or not, be unfair or inequitable.

(2) The powers given under this section may be made exercisable within a specified area either generally or with reference to specified cases or classes of cases.

113. When the rent of a tenure or holding is settled under this chapter, it shall not, except on the ground of a landlord's improvement or of a subsequent alteration in the area of the tenure or holding, be enhanced, in the case of a tenure or an occupancy-holding for fifteen years, and in the case of a non-occupancy-holding, if the rent is settled in any case under section 112 or on the application of the landlord under section 101, for five years. The periods of fifteen and five years shall be counted from the date of the final publication of the record.

114. Where an order is made under this chapter in any case except under section 101, sub-section (2), clause (d), the expenses incurred by the Government in carrying out the provisions of this chapter in any local area, or such part of those expenses as the Local Government may direct, shall be defrayed by the landlords and tenants of land in that local area, in such proportions as the Local Government, having regard to all the circumstances of each case, may determine; and the proportion of those expenses so to be defrayed by any person shall be recoverable by the Government from him as if it were an arrear of revenue due by him.

115. When the particulars mentioned in section 102, clause (b), have been recorded under this chapter in respect of any tenancy, the presumption under section 50 shall not thereafter apply to that tenancy.

CHAPTER XI.

RECORD OF PROPRIETORS' PRIVATE LANDS.

116. Nothing in Chapter V shall confer a right of occupancy in, and nothing in Chapter VI shall apply to, a proprietor's private lands known in Bengal as

khāmār, nij or nij-jot, and in Belar as zirāt, nij, sir or kamat, where any such land is held under a lease for a term of years or under a lease from year to year.

117. The Local Government may, from time to time, make an order directing a Revenue-officer to make a survey and record of all the lands in a specified local area which are a proprietor's private lands within the meaning of the last foregoing section.

118. In the case of any land alleged to be a proprietor's private land, on the application of the proprietor or of any tenant of the land, and on his depositing the required amount for expenses, a Revenue-officer may, subject to and in accordance with rules made in this behalf by the Local Government, ascertain and record whether the land is or is not a proprietor's private land.

119. When a Revenue-officer proceeds under either of the two last foregoing sections, the provisions of sections 105, 106, 108 and 109 shall apply.

120. (I) The Revenue-officer shall record as a proprietor's private land—

- (a) land which is proved to have been cultivated as khāmār, zirāt, sir, nij, nij-jot or kamat by the proprietor himself with his own stock or by his own servants or by hired labour for twelve continuous years immediately before the passing of this Act, and

- (b) cultivated land which is recognized by village usage as proprietor's khāmār, zirāt, sir, nij, nij-jot or kamat.

(2) In determining whether any other land ought to be recorded as a proprietor's private land, the officer shall have regard to local custom and to the question whether the land was before the second day of March, 1883, specifically let as proprietor's private land and to any other evidence that may be produced; but shall presume that land is not a proprietor's private land until the contrary is shown.

(3) If any question arises in a Civil Court as to whether land is or is not a proprietor's private land, the Court shall have regard to the rules laid down in this section for the guidance of Revenue-officers.

CHAPTER XII.

DISTRAINT.

121. Where an arrear of rent is due to the landlord of a raiyat or under-raiyat, and has not been due for more than a year, and no

*Bengal Tenancy Bill.**(Chapter XII.—Distraint.—Secs. 122-125.)*

security has been accepted therefor by the landlord, the landlord may, in addition to any other remedy to which he is entitled by law, present an application to the Civil Court requesting the Court to recover the arrear by distraining, while in the possession of the cultivator—

- (a) any crops or other products of the earth standing or ungathered on the holding ;
- (b) any crops or other products of the earth which have been grown on the holding and have been reaped or gathered and are deposited on the holding, or on a threshing-floor or place for treading out grain, or the like, whether in the fields or within a homestead :

Provided that an application shall not be made under this section—

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of 1876.

- (1) by a proprietor or manager as defined under the Land Registration Act, 1876, or a mortgagee of such a proprietor or manager, unless his name and the extent of his interest in the land in respect of which the arrear is due have been registered under the provisions of that Act ; or
- (2) for the recovery of any sum in excess of the rent payable for the holding in the preceding agricultural year, unless that sum is payable under a written contract or in consequence of a proceeding under this Act or an enactment hereby repealed ; or
- (3) in respect of the produce of any part of the holding which the tenant has sub-let with the written consent of the landlord.

[B. B., ss. 71,
25.]

[B. B., ss.
104 & 105.
Section 140.]

122. (1) Every application under the last foregoing section shall specify—

- (a) the holding in respect of which the arrear is claimed, and the boundaries thereof, or such other particulars as may suffice for its identification ;
- (b) the name of the tenant ;
- (c) the period in respect of which the arrear is claimed ;
- (d) the amount of the arrear, with the interest, if any, claimed thereon, and, when an amount in excess of the rent payable by the tenant in the last preceding agricultural year is claimed, the contract, or proceeding, as the case may be, under which that amount is payable ;
- (e) the nature and approximate value of the produce to be distrained ;
- (f) the place where it is to be found, or such other particulars as may suffice for its identification ; and
- (g) if it is standing or ungathered, the time at which it is likely to be cut or gathered.

(2) The application shall be signed and verified in the manner prescribed by the Code of

Civil Procedure for the signing and verification of plaints. XIV o
1882.

123. (1) The applicant shall, at the time of filing an application under the foregoing sections, file in Court such documentary evidence (if any) as he may consider necessary for the purposes of the application. [B. B., s.
105 & 10
Section]

(2) The Court may, if it thinks fit, examine the applicant, and shall, with as little delay as possible, admit the application or reject it, or permit the applicant to furnish additional evidence in support of it.

(3) Where a Court cannot forthwith admit or reject an application under sub-section (2), it may, if it thinks fit, make an order prohibiting the removal of the produce specified in the application pending the execution of an order for distraining the same or the rejection of the application.

(4) When an order for distraining any produce is made under this section at a considerable time before the produce is likely to be cut or gathered, the Court may suspend the execution of the order for such time as it thinks fit, and may if it thinks fit make a further order prohibiting the removal of the produce pending the execution of the order for distraint.

124. If an application is admitted under the last foregoing section, the Court shall depute an officer to distrain the produce specified therein, or such portion of that produce as it thinks fit ; and the officer shall proceed to the place where the produce is, and distrain the produce by taking charge of it himself or placing some other person in charge of it in his behalf, and publishing a notification of the distraint in accordance with rules to that effect to be made by the High Court. [B. B., s.
Section 1]

Provided that produce which from its nature does not admit of being stored shall not be distrained under this section at any time less than twenty days before the time when it would be fit for reaping or gathering. [D. § 11]

125. (1) The distraining officer shall, at the time of making the distraint, serve on the defaulter a written demand for the arrear due, and the costs incurred in making the distraint, with an account exhibiting the grounds on which the distraint is made. [B. B., s.
Section]

(2) Where the distraining officer has reason to believe that a person other than the defaulter is the owner of the property distrained, he shall serve copies of the demand and account on that person likewise.

(3) The demand and account shall, if practicable, be served personally ; but if a person on whom they are to be served absconds or conceals himself, or cannot otherwise be found, the officer

*Bengal Tenancy Bill.**(Chapter XII.—Distrain.—Secs. 126—136.)*

shall affix copies of the demand and account on the outer door of the house in which he usually resides.

109. 126. (1) A distraint under this chapter shall not prevent any person from reaping, gathering or storing any produce, or doing any other act necessary for its due preservation.

(2) If the person entitled to do so fails to do so at the proper time, the distraining officer shall cause any standing crops or ungathered products distrained to be reaped or gathered when ripe, and stored in such granaries or other places as are commonly used for the purpose, or in some other convenient place in the neighbourhood, or shall do whatever else may be necessary for the due preservation of the same.

(3) In either case the distrained property shall remain in the charge of the distraining officer, or of some other person appointed by him in this behalf.

113. 145.] 127. (1) Unless the demand, with all costs of the distraint, be immediately satisfied, the distraining officer shall issue a proclamation specifying the particulars of the property distrained and the demand for which it is distrained, and notifying that he will, at a place and on a specified day, not being less than three or more than seven days after the time of making the distraint, sell the distrained property by public auction :

Provided that when the crops or products distrained from their nature admit of being stored but have not yet been stored, the day of the sale shall be so fixed as to admit of their being made ready for storing before its arrival.

(2) The proclamation shall be stuck up on a conspicuous place in the village in which the land is situate for which the arrears of rent are claimed.

114. 146.] 128. The sale shall be held at the place where the distrained property is, or at the nearest place of public resort if the distraining officer is of opinion that it is likely to sell there to better advantage.

11. 147.] 129. (1) Crops or products which from their nature admit of being stored shall not be sold before they are reaped or gathered and are ready for storing.

(2) Crops or products which from their nature do not admit of being stored may be sold before they are reaped or gathered, and the purchaser shall be entitled to enter on the land by himself, or by any person appointed by him in this behalf, and do all that is necessary for the purpose of tending and reaping or gathering them.

130. The property shall be sold by public auction [B. R., s. 115. Section 148.] in one or more lots, as the officer holding the sale may think advisable; and if the demand, with the costs of distraint and sale, is satisfied by the sale of a portion of the property, the distraint shall be immediately withdrawn with respect to the remainder.

131. If, on the property being put up for sale, [H. B., s. 116. Section 149.] a fair price (in the estimation of the officer holding the sale) is not offered for it, and if the owner of the property, or a person authorised to act in his behalf, applies to have the sale postponed till the next day, or (if a market is held at the place of sale) the next market-day, the sale shall be postponed until that day, and shall be then completed, whatever price may be offered for the property.

132. The price of every lot shall be paid [H. B., s. 117. Section 150.] at the time of sale, or as soon thereafter as the officer holding the sale directs, and in default of such payment the property shall be put up again and sold.

133. When the purchase-money has been paid in full, the officer holding the sale shall give the purchaser a certificate describing the property purchased by him and the price paid. [B. R., s. 118. Section 151.]

134. (1) From the proceeds of every sale of distrained property under this chapter, the officer holding the sale shall pay the costs of the distraint and sale, calculated on a scale of charges prescribed by rules to be made by the Local Government in this behalf. [B. R., s. 119. Section 152.]

(2) The remainder shall be applied to the discharge of the arrear for which the distress was made, with interest thereon up to the day of sale; and the surplus (if any) shall be paid to the person whose property has been sold.

135. Officers holding sales of property under this Act, and all persons employed by, or subordinate to, such officers, are prohibited from purchasing, either directly or indirectly, any property sold by such officers. [B. R., s. 120. Section 153.]

136. (1) If at any time after a distraint has been made under this chapter, and before the sale of the distrained property, the defaulter, or the owner of the distrained property where he is not the defaulter, deposits in the Court issuing the order of distraint, or in the hands of the distraining officer, the amount specified in the demand served under section 125, with all costs which may have been incurred after the service of the demand, the Court or officer, as the case may be, shall grant a receipt for the same and the distraint shall forthwith be withdrawn. [H. B., s. 111. 112 & 123. Section 154.]

*Bengal Tenancy Bill.**(Chapter XIII.—Judicial Procedure.—Secs. 152—156.)*

section 167.] **152.** When a defendant pays money into Court under either of the said sections, the Court shall give the defendant a receipt, and the receipt so given shall operate as an acquittance in the same manner and to the same extent as if it had been given by the plaintiff or the third person as the case may be.

D., § 179. **153.** An appeal shall not lie from any decree or order passed, whether in the first instance or on appeal, in any suit instituted by a landlord for the recovery of rent where—

(a) the decree or order is passed by a District Judge, Additional Judge or Subordinate Judge, and the amount claimed in the suit does not exceed one hundred rupees, or

(b) the decree or order is passed by any other judicial officer specially empowered by the Local Government to exercise final jurisdiction under this section, and the amount claimed in the suit does not exceed fifty rupees ;

unless in either case the decree or order has decided a question relating to title to land or to some interest in land as between parties having conflicting claims thereto, or a question of a right to enhance or vary the rent of a tenant, or a question of the amount of rent usually payable by a tenant :

Provided that the District Judge may call for the record of any case in which a judicial officer as aforesaid has passed a decree or order to which this section applies, if it appears that the judicial officer has exercised a jurisdiction not vested in him by law, or has failed to exercise a jurisdiction so vested, or has acted in the exercise of his jurisdiction illegally or with material irregularity ; and may pass such order as the District Judge thinks fit.

L. B., ss. 96 **154.** A decree for enhancement of rent under 98 (b). this Act, if passed in a suit Date from which decree for enhancement takes effect. instituted in the first eight months of an agricultural year, shall ordinarily take effect on the commencement of the agricultural year next following ; and, if passed in a suit instituted in the last four months of the agricultural year, shall ordinarily take effect on the commencement of the agricultural year next but one following ; but nothing in this section shall prevent the Court from fixing for special reasons a later date from which any such decree shall take effect.

L. B., ss. 21 **155. (1)** A suit for the Relief against for- ejection of a tenant, on the 31, 44 & ground— 14, 170.] (a) that he has used the land in a manner which renders it unfit for the purposes of the tenancy, or

(b) that he has broken a condition on breach of which he is, under the terms of a con-

tract between him and the landlord, liable to ejection,

shall not be entertained unless the landlord has served, in the prescribed manner, a notice on the tenant specifying the particular misuse or breach complained of, and, where the misuse or breach is capable of remedy, requiring the tenant to remedy the same, and, in any case, to pay reasonable compensation for the misuse or breach, and the tenant has failed to comply within a reasonable time with that request.

(2) A decree passed in favour of a landlord in any such suit shall declare the amount of compensation which would reasonably be payable to the plaintiff for the misuse or breach, and whether, in the opinion of the Court, the misuse or breach is capable of remedy, and shall fix a period during which it shall be open to the defendant to pay that amount to the plaintiff, and, where the misuse or breach is declared to be capable of remedy, to remedy the same.

(3) The Court may, from time to time, for special reasons, extend a period fixed by it under subsection (2).

(4) If the defendant, within the period or extended period (as the case may be) fixed by the Court under this section, pays the compensation mentioned in the decree, and, where the misuse or breach is declared by the Court to be capable of remedy, remedies the misuse or breach to the satisfaction of the Court, the decree shall not be executed.

Rights of ejected rai- yats in respect of crops and land prepared for sowing. **156.** The following rules shall apply in the case of every raiyat ejected from a holding :—

(a) when the raiyat has, before the date of his ejection, sown or planted crops in any land comprised in the holding, he shall be entitled, at the option of the landlord, either to retain possession of that land and to use it for the purpose of tending and gathering in the crops, or to receive from the landlord the value of the crops as estimated by the Court executing the decree for ejection ;

(b) when the raiyat has, before the date of his ejection, prepared for sowing any land comprised in his holding, but has not sown or planted crops in that land, he shall be entitled to receive from the landlord the value of the labour and capital expended by him in so preparing the land, as estimated by the Court executing the decree for ejection, together with reasonable interest on that value ;

(c) but a raiyat shall not be entitled to retain possession of any land or receive any sum in respect thereof under this section where, after the commencement of pro-

*Bengal Tenancy Bill.**(Chapter XIII.—Judicial Procedure.—Secs. 157 & 158.)**(Chapter XIV.—Sale for Arrears under Decree.—Secs. 159—162.)*

ceedings by the landlord for his ejection, he has cultivated or prepared the land contrary to local usage;

s. 80,
s. 73.]

(d) if the landlord elects under this section to allow a raiyat to retain possession of the land, the raiyat shall pay to the landlord, for the use and occupation of the land during the period for which he is allowed to retain possession of the same, such rent as the Court executing the decree for ejection may deem reasonable.

in 173.]

157. When a plaintiff institutes a suit for the ejection of a trespasser he may, if he thinks fit, claim as alternative relief that the defendant be declared liable to pay for the land in his possession a fair and equitable rent to be determined by the Court, and the Court may grant such relief accordingly.

s. 151.
s. 158.
s. 174.]

158. (1) The Court having jurisdiction to determine a suit for the possession of land held by a tenant may, on the application of either the landlord or the tenant, determine all or any of the following matters, namely:—

(a) the situation, quantity and boundaries of the land held by the tenant;

(b) the class to which he belongs, that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, occupancy-raiyat, non-occupancy-raiyat, or under-raiyat, and, if he is a tenure-holder, whether he is a permanent tenure-holder or not and whether his rent is liable to enhancement during the continuance of his tenure; and

(c) the rent payable by him at the time of the application.

(2) If in the opinion of the Court any of these matters cannot be satisfactorily determined without a local inquiry, the Court may direct that a local inquiry be held under Chapter XXV of the Code of Civil Procedure by such Revenue-officer as the Local Government may authorize in that behalf by rule made under section 392 of the said Code.

(3) The order on any application under this section shall have the effect of, and be subject to the like appeal as, a decree.

CHAPTER XIV.**SALE FOR ARREARS UNDER DECREE.**

in 175.]

159. Where a tenure or holding is sold in execution of a decree for arrears due in respect thereof, the purchaser shall take subject to the interests defined in this chapter as "protected interests", but with power to annul the interests defined in this chapter as "incumbrances:"

Provided as follows:—

(a) a registered and notified incumbrance within the meaning of this chapter shall not be so annulled except in the case hereinafter mentioned in that behalf;

(b) the power to annul shall be exercisable only in manner by this chapter directed.

160. The following shall be deemed to be protected interests within the meaning of this chapter— [D. §§ 12 and 155, C. B., ss. Expl. & B. B., ss. Expl. & Section 1

(a) any under-tenure existing from the time of the Permanent Settlement;

(b) any under-tenure recognized by the settlement proceedings of any current temporary settlement as a tenure at a rent fixed for the period of that settlement;

(c) any lease of land whereon dwelling-houses, manufactories or other permanent buildings have been erected, or permanent gardens, plantations, tanks, canals, places of worship or burning or burying grounds have been made;

(d) any right of occupancy;

(e) the right of a non-occupancy-raiyat to hold for five years at a rent fixed under Chapter VI by a Court, or under Chapter X by a Revenue-officer;

(f) any right conferred on an occupancy-raiyat to hold at a rent which was a fair and reasonable rent at the time the right was conferred; and

(g) any right or interest which the landlord at whose instance the tenure or holding is sold, or his predecessor in title, has expressly and in writing given the tenant for the time being permission to create.

161. For the purposes of this chapter— [Section 1
Meaning of "incumbrance" and "registered and notified incumbrance."

(a) the term "incumbrance", used with reference to a tenancy, means any lien, sub-tenancy, easement or other right or interest created by the tenant on his tenure or holding or in limitation of his own interest therein, and not being a protected interest as defined in the last foregoing section;

(b) the term "registered and notified incumbrance", used with reference to a tenure or holding sold or liable to sale in execution of a decree for an arrear of rent due in respect thereof, means an incumbrance created by a registered instrument of which a copy has, not less than three months before the accrual of the arrear, been served on the landlord in manner hereinafter provided. [C. B., s. Expl. B. B., s. 228, Ex

162. When a decree has been passed for an arrear of rent due for a tenure or holding, and the decree-holder applies under section 235 of the Code of Civil Procedure for the attachment of the holding, the Court may, if it thinks fit, order the sale of the holding in satisfaction of the decree. [C. B., s. 1 B. B., s. 2 Section 11
Application for sale of holding, and the decree-holder applies under section 235 of the Code of Civil Procedure for the attachment of the holding. XIV of 1882.

*Bengal Tenancy Bill.**(Chapter XIV.—Sale for Arrears under Decree.—Secs. 163—168.)*

ment and sale of the tenure or holding in execution of the decree, he shall produce a statement showing the parganná, estate and village in which the land comprised in the tenure or holding is situate, the yearly rent payable for the same and the total amount recoverable under the decree.

163. (1) Notwithstanding anything contained in the Code of Civil Procedure, when the decree-holder makes the application mentioned in the last foregoing section, the Court shall, if under section 245 of the said Code it admits the application and orders execution of the decree as applied for, issue simultaneously the order of attachment and the proclamation required by section 287 of the said Code.

(2) The proclamation shall, in addition to stating and specifying the particulars mentioned in section 287 of the said Code, announce—

(a) in the case of a tenure or a holding of a raiyat holding at fixed rates, that the tenure or holding will first be put up to auction subject to the registered and notified incumbrances, and will be sold subject to those incumbrances if the sum bid is sufficient to liquidate the amount of the decree and costs, and that otherwise it will, if the decree-holder so desires, be sold on a subsequent day, of which due notice will be given, with power to annul all incumbrances; and

(b) in the case of an occupancy-holding, that the holding will be sold with power to annul all incumbrances.

(3) The proclamation shall, besides being made in the manner prescribed by section 289 of the said Code, be published by fixing up a copy thereof in a conspicuous place on the land comprised in the tenure or holding ordered to be sold, and shall also be published in such manner as the Local Government may, from time to time, direct in this behalf.

(4) Notwithstanding anything contained in section 290 of the said Code, the sale shall not, without the consent in writing of the judgment-debtor, take place until after the expiration of at least thirty days calculated from the date on which the copy of the proclamation has been fixed up on the land comprised in the tenure or holding ordered to be sold.

164. (1) When a tenure or a holding at fixed rates has been advertised for sale under the last foregoing section, it shall be put up to auction, subject to registered and notified incumbrances; and, if the bidding reaches a sum sufficient to liquidate the amount of the decree and costs, including the costs of sale, the tenure or holding shall be sold subject to such incumbrances.

(2) The purchaser at a sale under this section may, in manner provided by section 167, and not otherwise, annul any incumbrance upon the tenure or holding not being a registered and notified incumbrance.

165. (1) If the bidding for a tenure or a holding at fixed rates put up to auction under the last foregoing section does not reach a sum sufficient to liquidate the amount of the decree and costs as aforesaid, and if the decree-holder thereupon desires that the tenure or holding be sold with power to avoid all incumbrances, the officer holding the sale shall adjourn the sale and make a fresh proclamation under section 289 of the Code of Civil Procedure, announcing that the tenure or holding will be put up to auction and sold with power to avoid all incumbrances upon a future day specified therein, not less than fifteen or more than thirty days from the date of the postponement; and upon that day the tenure or holding shall be put up to auction and sold with power to avoid all incumbrances.

(2) The purchaser at a sale under this section may, in manner provided by section 167, and not otherwise, annul any incumbrance on the tenure or holding.

166. (1) When an occupancy-holding has been advertised for sale under section 163, it shall be put up to auction and sold with power to avoid all incumbrances.

(2) The purchaser at a sale under this section may in manner provided by the next following section, and not otherwise, annul any incumbrance on the holding.

167. (1) A purchaser having power to annul an incumbrance under any of the foregoing sections and desiring to annul the same, may, within one year from the date of the sale or the date on which he first has notice of the incumbrance, whichever is later, present to the Collector an application in writing, requesting him to serve on the incumbrancer a notice declaring that the incumbrance is annulled.

(2) Every such application must be accompanied by such fee for the service of the notice as the Board of Revenue may fix in this behalf.

(3) When an application for service of a notice is made to the Collector in manner prescribed by this section, he shall cause the notice to be served in compliance therewith, and the incumbrance shall be deemed to be annulled from the date on which it is so served.

168. (1) The Local Government may, from time to time, by notification in the official Gazette, direct that occupancy-holdings or any specified class of occupancy-holdings in any local area put up for sale in execution of decrees for rent due on them shall, before being put up with power to avoid all incumbrances, be put up subject to registered and

D. § 162.
B. s. 203.
B. s. 225.
Section 179.]
XIV of
1882.

B. s. 206.
B. s. 228 (a)
A Expl.
Section 180.]

XIV,
1882.

[B. B.,
cl. (b).
Section

[Section

[B.B., s.
(c).
Section

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notified incumbrances, and may by like notification rescind any such direction.

(2) While any such direction remains in force in respect of any local area, all occupancy-holdings, or, as the case may be, occupancy-holdings of the specified class in that local area, shall, for the purposes of sale under the foregoing sections of this chapter, be treated in all respects as if they were tenures.

§ 246.
B., s. 211.
B., s. 233.
tion 186.]

169. (1) In disposing of the proceeds of a sale under this chapter, the following rules, instead of those prescribed by section 295 of the Code of Civil Procedure, shall be observed, that is to say:—

- (a) there shall first be paid to the decree-holder the costs incurred by him in bringing the tenure or holding to sale;
- (b) there shall, in the next place, be paid to the decree-holder the amount due to him under the decree in execution of which the sale was made;
- (c) if there remains a balance after these sums have been paid, there shall be paid to the decree-holder therefrom any rent which may have fallen due to him in respect of the tenure or holding between the institution of the suit and the date of the sale;
- (d) the balance (if any) remaining after the payment of the rent mentioned in clause (c) shall, upon the expiration of two months from the confirmation of the sale, be paid to the judgment-debtor upon his application.

(2) If the judgment-debtor disputes the decree-holder's right to receive any sum on account of rent under clause (c), the Court shall determine the dispute, and the determination shall have the force of a decree.

§ 153.
B., s. 204.
B., s. 226.
tion 187.]
V of
82.

Tenure or holding to be released from attachment only on payment into Court of amount of decree with costs, or on confession of satisfaction by decree-holder.

170. (1) Sections 278 to 283 (both inclusive) of the Code of Civil Procedure shall not apply to a tenure or holding attached in execution of a decree for arrears due thereon.

(2) When an order for the sale of a tenure or holding in execution of such a decree has been made, the tenure or holding shall not be released from attachment unless, before it is knocked down to the auction-purchaser, the amount of the decree, including the costs decreed, together with the costs incurred in order to the sale, is paid into Court, or the decree-holder makes an application for the release of the tenure or holding on the ground that the decree has been satisfied out of Court.

(3) The judgment-debtor or any person having in the tenure or holding any interest voidable on the sale may pay money into Court under this section.

171. (1) When any person having, in a tenure or holding advertised for sale under this chapter, an interest which would be voidable upon the sale, pays into Court the amount requisite to prevent the sale,—

- (a) the amount so paid by him shall be deemed to be a debt bearing interest at twelve per centum per annum and secured by a mortgage of the tenure or holding to him;
- (b) his mortgage shall take priority of every other charge on the tenure or holding other than a charge for arrear of rent; and
- (c) he shall be entitled to possession of the tenure or holding as mortgagee of the tenant and to retain possession of it as such until the debt, with the interest due thereon, has been discharged.

(2) Nothing in this section shall affect any other remedy to which any such person would be entitled.

172. When a tenure or holding is advertised for sale under this chapter in execution of a decree against a superior tenant defaulting, and an inferior tenant, whose interest would be voidable upon the sale, pays money into Court in order to prevent the sale, he may, in addition to any other remedy provided for him by law, deduct the whole or any portion of the amount so paid from any rent payable by him to his immediate landlord; and that landlord, if he is not the defaulter, may in like manner deduct the amount so deducted from any rent payable by him to his immediate landlord, and so on until the defaulter is reached.

173. (1) Notwithstanding anything contained in section 294 of the Code of Civil Procedure, the holder of a decree in execution of which a holding is sold under this chapter may, without the permission of the Court, bid for or purchase the tenure or holding.

(2) The judgment-debtor shall not bid for or purchase a holding so sold.

(3) When a judgment-debtor purchases by himself or through another person a holding so sold, the Court may, if it thinks fit, on the application of the decree-holder or any other person interested in the sale, by order set aside the sale, and the costs of the application and order, and any deficiency of price which may happen on the re-sale, and all expenses attending it, shall be paid by the judgment-debtor.

174. (1) Where a tenure or holding is sold for an arrear of rent due thereon, then, at any time within thirty days from the date of sale, the judgment-debtor may apply to have the sale set aside, on his depositing in Court, for payment to the decree-holder, the amount recoverable

[D., §§ 85, 154.
C. B., s. 20
B. B., s. 21
Section 186]

[D., §§ 85, 154.
C. B., s. 20
B. B., s. 21
Section 186]

XIV of 1882.
[C. B., s. 21
(1).
B. B., s. 21
(1).
Section 190]

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under the decree with costs, and, for payment to the purchaser, a sum equal to five per cent. of the purchase-money.

(2) If such deposit is made within the thirty days, the Court shall pass an order setting aside the sale:

Provided that, if a judgment-debtor applies under section 311 of the Code of Civil Procedure to set aside the sale of his tenure or holding, he shall not be entitled to make an application under this section.

(3) Section 313 of the Code of Civil Procedure shall not apply to any sale under this chapter.

175. Notwithstanding anything contained in Part IV of the Indian Registration Act, 1877, an instrument creating an incumbrance upon any tenure or holding which has been executed before the commencement of this Act, and is not required by section 17 of the said Registration Act to be registered, shall be accepted for registration under that Act if it is presented for that purpose to the proper officer within one year from the commencement of this Act.

176. Every officer who has, whether before or after the passing of this Act, registered an instrument executed by a tenant of a tenure or holding and creating an incumbrance on the tenure or holding, shall, at the request of the tenant or of the person in whose favour the incumbrance is created, and on payment by him of such fee as the Local Government may fix in this behalf, notify the incumbrance to the landlord by causing a copy of the instrument to be served on him in the prescribed manner.

177. Nothing contained in this chapter shall be deemed to enable a person to create an incumbrance which he could not otherwise lawfully create.

CHAPTER XV.

CONTRACT AND CUSTOM.

178. (1) Nothing in any contract between a landlord and tenant made before or after the passing of this Act—

(a) shall bar in perpetuity the acquisition of an occupancy-right in land, or

(b) shall take away an occupancy-right in existence at the date of the contract, or

(c) shall entitle a landlord to eject a tenant otherwise than in accordance with the provisions of this Act, or

(d) shall take away or limit the right of a tenant, as provided by this Act, to make improvements and claim compensation for them.

(2) Nothing in any contract made between a landlord and tenant since the 15th day of July, 1880, and before the passing of this Act shall prevent a raiyat from acquiring in accordance with this Act an occupancy-right in land.

(3) Nothing in any contract made between a landlord and tenant after the passing of this Act shall—

(a) prevent a raiyat from acquiring in accordance with this Act an occupancy-right in land;

(b) take away or limit the right of an occupancy-raiyat to use land as provided by section 23;

(c) take away the right of a raiyat to surrender his holding in accordance with section 86;

(d) take away the right of a raiyat to transfer or bequeath his holding in accordance with local usage;

(e) take away the right of a raiyat to sub-let subject to and in accordance with the provisions of this Act;

(f) take away the right of a raiyat to apply for a reduction of rent under section 38 or section 52;

(g) take away the right of a landlord or tenant to apply for a commutation of rent under section 40; or

(h) affect the provisions of section 67 relating to interest payable on arrears of rent:

Provided as follows:—

(i) nothing in this section shall affect the terms or conditions of a lease granted *bona fide* for the reclamation of waste land, except that, where, on or after the expiration of the term created by the lease, the lessee would under Chapter V be entitled to an occupancy right in the land comprised in the lease, nothing in the lease shall prevent him from acquiring that right;

(ii) nothing in this section shall affect the terms or conditions of any contract for the temporary cultivation of orchard land with agricultural crops.

179. Nothing in this Act shall be deemed to prevent a proprietor or a holder of a permanent tenure in a permanently-settled area from granting a permanent mukarrari lease on any terms agreed on between him and his tenant.

Útbandi, char and deorah lands.

180. (1) Notwithstanding anything in this Act, a raiyat—

(a) who in any part of the country where the custom of útbandi prevails, holds land ordi-

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(Chapter XV.—Contract and Custom.—Secs. 181—183.)

(Chapter XVI.—Limitation. Chapter XVII.—Supplemental.—Secs. 184—187.)

narly let under that custom and for the time being let under that custom, and

(b) who holds land of the kind known as chur or dearah,—

shall not acquire a right of occupancy—

in case (a), in land ordinarily held under the custom of úbandi and for the time being held under that custom,

in case (b), in the chur or dearah land—

until he has held the land in question for twelve continuous years; and, until he acquires a right of occupancy in the land, he shall be liable to pay such rent for his holding as may be agreed on between him and his landlord.

(2) Chapter VI shall not apply to raiyats holding land under the custom of úbandi in respect of land held by them under that custom.

(3) The Collector may, on the application of either the landlord or the tenant or on a reference from the Civil Court, declare that any land has ceased to be chur or dearah land within the meaning of this section, and thereupon all the provisions of this Act shall apply to the land.

tion 215.] 181. Nothing in this Act shall affect any incident of a ghátwáli or other service-tenure, or, in particular, shall confer a right to transfer or bequeath a service-tenure which, before the passing of this Act, was not capable of being transferred or bequeathed.

tion 216.] 182. When a raiyat holds his homestead otherwise than as part of his holding as a raiyat, the incidents of his tenancy of the homestead shall be regulated by local custom or usage, and, subject to local custom or usage, by the provisions of this Act applicable to land held by a raiyat.

tion 217.] 183. Nothing in this Act shall affect any custom, usage or customary right not inconsistent with, or not expressly or by necessary implication modified or abolished by, its provisions.

Illustrations.

(1) A usage under which a raiyat is entitled to sell his holding without the consent of his landlord is not inconsistent with, and is not expressly or by necessary implication modified or abolished by, the provisions of this Act. That usage, accordingly, wherever it may exist, will not be affected by this Act.

B. s. 19. (2) The custom or usage that an under-raiyat should, under certain circumstances, acquire a right of occupancy is not inconsistent with, and is not expressly or by necessary implication modified or abolished by, the provisions of this Act. That custom or usage, accordingly, wherever it exists, will not be affected by this Act.

CHAPTER XVI.

LIMITATION.

184. (1) The suits, appeals and applications specified in Schedule III annexed to this Act shall be instituted and made within the time prescribed in that schedule for them respectively; and every such suit or appeal instituted, and application made, after the period of limitation so prescribed, shall be dismissed, although limitation has not been pleaded.

(2) Nothing in this section shall revive the right to institute any suit or appeal or make any application which would have been barred by limitation if it had been instituted or made immediately before the commencement of this Act.

185. Sections 7, 8 and 9 of the Indian Limitation Act, 1877, shall not apply to the suits and applications mentioned in the last foregoing section.

CHAPTER XVII.

SUPPLEMENTAL.

Penalties.

186. (1) If any person, otherwise than in accordance with this Act or some other enactment for the time being in force,—

- (a) distrains or attempts to distrain the produce of a tenant's holding, or
- (b) resists a distraint duly made under this Act, or forcibly or clandestinely removes any property duly distrained under this Act, or
- (c) except with the authority or consent of the tenant, prevents or attempts to prevent the reaping, gathering, storing, removing or otherwise dealing with any produce of a holding,

he shall be deemed to have committed criminal trespass within the meaning of the Indian Penal Code.

(2) Any person who abets within the meaning of the Indian Penal Code the doing of any act mentioned in sub-section (1) shall be deemed to have abetted the commission of criminal trespass within the meaning of that Code.

Agents and representatives of landlords.

187. (1) Any appearance, application or act, in, before or to any Court or authority, required or authorised by this Act to be made or done by a landlord, may, unless the Court or authority otherwise directs, be made or done also by an agent empowered in this behalf by a written authority under the hand of the landlord.

*Bengal Tenancy Bill.**(Chapter XVII.—Supplemental.—Secs. 188—194.)*

*Agents and
representa-
tives of land-
lords.*

(2) Every notice required by this Act to be served on, or given to, a landlord shall, if served on, or given to, an agent empowered as aforesaid to accept service of or receive the same on behalf of the landlord, be as effectual for the purposes of this Act as if it had been served on, or given to the landlord in person.

(3) Every document required by this Act to be signed or certified by a landlord, except an instrument appointing or authorizing an agent, may be signed or certified by an agent of the landlord authorized in writing in that behalf.

[Section
222.]

188. Where two or more persons are joint-landlords, anything which the landlord is under this Act required or authorized to do must be done either by both or all those persons acting together, or by an agent authorized to act on behalf of both or all of them.

*Joint-landlords to act
collectively or by common
agent.*

Rules under Act.

[Section
223.]

*Rules under
Act.*

189. The Local Government may, from time to time, by notification in the official Gazette, make rules consistent with this Act—

*Power to make rules
regarding procedure,
powers of officers and
service of notices.*

(1) to regulate the procedure to be followed by Revenue-officers in the discharge of any duty imposed upon them by or under this Act, and may by such rules confer upon any such officer—

(a) any power exercised by a Civil Court in the trial of suits;

(b) power to enter upon any land, and to survey, demarcate and make a map of the same, and any power exercisable by any officer under the Bengal Survey Act, 1875; and

(c) power to cut and thresh the crops on any land and weigh the produce, with a view to estimating the capabilities of the soil; and

(2) to prescribe the mode of service of notices under this Act where no mode is prescribed by this or any other Act.

[Section
224.]

190. (1) Every authority having power to make rules under any section of this Act shall, before making the rules, publish a draft of the proposed rules for the information of persons likely to be affected thereby.

(2) The publication shall be made, in the case of rules made by the Local Government or High Court, in such manner as may in its opinion be sufficient for giving information to persons interested, and, in the case of rules made by any other authority, in the prescribed manner:

Provided that every such draft shall be published in the official Gazette.

(3) There shall be published with the draft a notice specifying a date, not earlier than the expiration of one month after the date of publication, at or after which the draft will be taken into consideration.

(4) The authority shall receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(5) The publication in the official Gazette of a rule purporting to be made under this Act shall be conclusive evidence that it has been duly made.

(6) All rules made under this Act may, from time to time, be amended, added to or cancelled by the authority having power to make the same.

Provisions as to temporarily-settled districts.

191. Where the area comprised in a tenure is situated in an estate which has never been permanently settled, nothing in this Act shall prevent the enhancement of the rent upon the expiration of a temporary settlement of the revenue, unless the right to hold beyond the term of the settlement at a particular rate of rent has been expressly recognized in settlement-proceedings by a Revenue-authority empowered by the Government to make definitively or confirm settlements.

192. When a landlord grants a lease, or makes any other contract, purporting to entitle the tenant of land not included in an area permanently settled to hold that land free of rent or at a particular rent, and while the lease or contract is in force—

(a) land-revenue is for the first time made payable in respect of the land, or

(b) land-revenue having been previously payable in respect of it, a fresh settlement of land-revenue is made,

a Revenue-officer may, notwithstanding anything in the contract between the parties, by order, on the application of the landlord or of the tenant, fix a fair and equitable rent for the land in accordance with the provisions of this Act.

Rights of pasturage, &c.

193. The provisions of this Act applicable to suits for the recovery of arrears of rent shall, as far as may be, apply to suits for the recovery of anything payable or deliverable in respect of any rights of pasturage, forest-rights, rights over fisheries and the like.

Saving for conditions binding on landlords.

194. Where a proprietor or permanent tenure-holder holds his estate or tenure subject to the observance of any specified rule or condition, nothing

*Tenant not enabled by
Act to violate conditions
binding on landlord.*

*Saving
condi-
bindin-
landlo.*

V (B. C.) of
1875.

*Bengal Tenancy Bill.**Chapter XVII.—Supplemental.—Secs. 195-196.**(Schedule I.—Repeal of Enactments.)*

in this Act shall entitle any person occupying land within the estate or tenure to do any act which involves a violation of that rule or condition.

Savings for special enactments.

Savings for special enactments. 195. Nothing in this Act shall affect—

- (a) the powers and duties of Settlement-officers as defined by any law not expressly repealed by this Act;
- (b) any enactment regulating the procedure for the realization of rents in estates belonging to the Government, or under the management of the Court of Wards or of the Revenue-authorities;
- (c) any enactment relating to the avoidance of tenancies and incumbrances by a sale for arrears of the Government revenue;
- (d) any enactment relating to the partition of revenue-paying estates;
- (e) any enactment relating to patni tenures which is not expressly repealed by this Act; or
- (f) any other special or local law not repealed either expressly or by necessary implication by this Act.

Construction of Act.

196. This Act shall be read subject to every

Act to be read subject to Acts hereafter passed by Lieutenant-Governor of Bengal in Council.

Act passed after its commencement by the Lieutenant-Governor of Bengal in Council.

SCHEDULE I.*(See section 2.)***REPEAL OF ENACTMENTS.***Regulations of the Bengal Code.*

Number and year.	Subject of Regulation.	Extent of repeal.
VIII of 1793	A Regulation for re-enacting with modifications and amendments the rules for the Decennial Settlement of the Public Revenue payable from the lands of the zamindars, independent taluqdars and other actual proprietors of land in Bengal, Behar and Orissa, passed for those Provinces respectively on the 18th September, 1789, the 25th November, 1789, and the 10th February, 1790, and subsequent dates.	Sections 51, 52, 53, 54, 55, 64 and 65.
XII of 1805	A Regulation for the settlement and collection of the Public Revenue in the zila of Cuttack, including the parganas of Pattaspur, Kuminadichour, and Bagrie, at present included in the zila of Midnapur.	Section 7.

SCHEDULE I—contd.

Number and year.	Subject of Regulation.	Extent of repeal.
V of 1812	A Regulation for amending some of the rules at present in force for the collection of the Land-revenue.	Sections 2, 3, 4, 26 and 27.
XVIII of 1812	A Regulation for explaining Section 2, Regulation V, 1812, and rescinding Sections 3 and 4, Regulation XIIV, 1793, and Sections 3 and 4, Regulation L, 1795, and enacting other rules in lieu thereof.	The preamble and sections 2 and 3.
XI of 1825	A Regulation for declaring the rules to be observed in determining claims to lands gained by alluvion or by deviation of a river or the sea.	In clause 1 of section 4, from and including the words "nor if annexed to a subordinate tenure" to the end of the clause.

Acts of the Bengal Council.

Number and year.	Subject of Act.	Extent of repeal.
VI of 1862	An Act to amend Act X of 1859 (to amend the law relating to the recovery of rent in the Presidency of Fort William in Bengal).	The whole Act.
IV of 1867	An Act to explain and amend Act VI of 1862, passed by the Lieutenant-Governor of Bengal in Council, and to give validity to certain judgments.	The whole Act.
VIII of 1869	An Act to amend the Procedure in suits between Landlords and Tenants.	The whole Act.
VIII of 1879	An Act to define and limit the powers of Settlement-officers.	The whole Act.

Act of the Governor General in Council.

Number and year.	Subject of Act.	Extent of repeal.
X of 1859	An Act to amend the law relating to the recovery of rent in the Presidency of Fort William in Bengal.	The whole Act.

Bengal Tenancy Bill.
(Schedule II.—Forms of Receipt and Account.)

SCHEDULE II.
FORMS OF RECEIPT AND ACCOUNT.
(See sections 56 and 57.)

FORM OF RECEIPT.

PARTICULARS OF THE HOLDING (RAIYAT'S PORTION).

1. Serial number of Receipt
2. Estate ; Village ; Tháná
3. Tenant's name , Son of
4. Particulars of the holding—

Nukdi, Bighás ; rent Rs.

Baouli, Bighás ; Maunds ; or Rs.

{
Julkur, Rs.
Bunkur, Rs.
Phulkur, Rs.

{
Road Cess, Rs.
Public Works Cess, Rs.
5. Signature of the Landlord or his Authorized Agent

FORM OF RECEIPT.

PARTICULARS OF THE HOLDING (LANDLORD'S PORTION).

1. Serial number of Receipt
2. Estate ; Village ; Tháná
3. Tenant's name , Son of
4. Particulars of the holding—

Nukdi, Bighás ; rent Rs.

Baouli, Bighás ; Maunds ; or Rs.

{
Julkur, Rs.
Bunkur, Rs.
Phulkur, Rs.

{
Road Cess, Rs.
Public Works Cess, Rs.
5. Signature of the Landlord or his Authorized Agent

Section 55 of the Bengal Tenancy Act, 1885, provides as follows :—

- (1) When a tenant makes a payment on account of rent, he may declare the year or the year and instalment to which he wishes the payment to be credited, and the payment shall be credited accordingly.
- (2) If he does not make any such declaration, the payment may be credited to the account of such year and instalment as the landlord thinks fit.

Bengal Tenancy Bill.
(Schedule II.—Forms of Receipt and Account.)

FORM OF ACCOUNT.

FORM OF ACCOUNT.

1. Year				
2. Tenant's name				
3. Particulars of holding—(area, rent, &c.)	Bighás	Rate	Rs.	A. P.
	<i>Nukdi</i>			
	Government Cesses			
	Bighás	Maunds	Rs.	A. P.
	<i>Baouli</i>			
	Julkur	...	...	...
	Bunkur	...	...	...
	Phulkur	...	...	...
		Maunds	Rs.	A. P.
4. Demand of the year	...	...	...	...
5. Balance of former years (Bakaya)	...	...	...	...
6. Total demand (current and arrear)	...	...	Rs. A. P.	
7. Paid each on account of	{ Current demand			
	{ Arrear demand			
8. Paid in kind	...	...	Maunds	...
9. Balance outstanding at end of year	...	...	Rs. A. P.	
10. Signature of the Landlord or his authorized Agent				

FORM OF ACCOUNT.

FORM OF ACCOUNT.

1. Year				
2. Tenant's name				
3. Particulars of holding—(area, rent, &c.)	Bíghás	Rate	Rs.	A. P.
	<i>Nukdi</i>			
	Government Cesses			
	Bíghás	Maunds	Rs.	A. P.
	<i>Baouli</i>			
	Julkur	...	...	...
	Bunkur	...	...	...
	Phulkur	...	...	...
4. Demand of the year	...	...	...	...
5. Balance of former years (Bakaya)	...	...	...	...
6. Total demand (current and arrear)	...	...	Rs. A. P.	
7. Paid each on account of	{ Current demand		...	
	{ Arrear demand		...	
8. Paid in kind	...	...	...	...
9. Balance outstanding at end of year			Rs. A. P.	
10. Signature of the Landlord or his authorized Agent				

Bengal Tenancy Bill.
(Schedule III.—Limitation.)

SCHEDULE III.

LIMITATION.

(See section 184.)

PART I.—Suits.

Description of Suit.	Period of Limitation.	Time from which period begins to run.
1. To eject any tenureholder or raiyat on account of any breach of a condition in respect of which there is a contract expressly providing that ejectment shall be the penalty of such breach.	One year	The date of the breach.
2. For the recovery of an arrear of rent— (a) when the arrear fell due before a deposit was made under section 61 on account of the rent of the same holding. (b) in other cases	Six months Three years	The date of the service of notice of the deposit. The last day of the Bengali year in which the arrear fell due, where that year prevails, and the last day of the month of Jeyt of the Amd or Fasli year in which the arrear fell due, where either of those years prevails.
3. To recover possession of land claimed by the plaintiff as an occupancy-raiyat.	Two years	The date of dispossession.

PART II.—Appeals.

Description of Appeal.	Period of Limitation.	Time from which period begins to run.
4. From any decree or order under this Act to the Court of a District Judge or Special Judge.	Thirty days	The date of the decree or order appealed against.
5. From any order of a Collector under this Act to the Commissioner.	Thirty days	The date of the order appealed against.

PART III.—Applications.

Description of Application.	Period of Limitation.	Time from which period begins to run.
6. For the execution of a decree or order made under this Act, or any Act repealed by this Act, and not being a decree for a sum of money exceeding Rs. 500, exclusive of any interest which may have accrued after decree upon the sum decreed, but inclusive of the costs of executing such decree, except where the judgment-debtor has by fraud or force prevented the execution of the decree.	Three years	(1) The date of the decree or order; or (2) where there has been an appeal, the date of the final decree or order of the Appellate Court; or (3) where there has been a review of judgment, the date of the decision passed on the review.

R. J. CROSTHWAITE,

Offg. Secy. to the Govt. of India.

APPENDICES.

APPENDIX A.

Summary of Financial Results of the Indian Telegraph Department for the year 1883-84.

INDIAN TELEGRAPH.					
Capital Account.					
Abstract of line and wire mileage.					
Line	{ Departmental Railway Railway property maintained by Department Guaranteed	.	.	.	.
		17,664.5	702	18,366.5	(a) & (b).—There are in addition 134 miles of "Provincial" Lines.
	2,892	546	3,438		
	415	80	495		
	818.5	89	907.5		
	(a) 21,790	1,417	(b) 23,207		
Wire	{ Departmental Railway Railway property maintained by Department Guaranteed	.	.	.	.
		40,441.5	2,179	42,620.5	(c) & (d).—There are in addition 160 miles of "Provincial" wires.
	19,814	2,825	22,639		
	1,646	227	1,873		
	1,250.5	151	1,401.5		
	(c) 63,152	5,382	(d) 68,534		
Cable	{ Departmental Railway Guaranteed	.	.	.	.
		122	3	125	
		5	2	7	
		3	.....	3	
		130	5	135	
Lines	{ Departmental Railway Guaranteed	.	.	.	.
		1,80,80,559	8,33,081	1,89,13,640	
		38,93,318	8,74,726	47,68,044	
		5,65,442	14,605	5,80,047	
		2,25,39,319	17,22,412	2,42,61,731	
Buildings	{ Signal Offices Quarters for Officers Cable-houses and tanks Store-houses Workshop and press buildings	.	.	.	.
		33,54,478	2,37,844	35,92,322	
		12,240	...	12,240	
		28,011	9,203	37,214	
		2,16,684	1,14,615	3,31,299	
		1,63,142	677	1,63,819	
		37,74,555	3,62,339	41,36,894	

Outlay	Tools and Plant { First fitting of offices Other Tools and Plant	997,143 1,38,426	1,72,892 6,041	11,70,035 1,44,467
	TOTAL	11,35,569	1,78,933	13,14,502
	Stores	18,30,504	1,68,503	19,99,007
	Suspense heads	65,251	17,014	48,237
	Charge for exchange paid in England	2,17,849	33,935	2,51,824
	TOTAL PRESENT CAPITAL	2,95,63,087	24,49,108	3,20,12,195
	Temporary Telegraphs for Military purposes	95,068	2,431	92,637
	TOTAL CAPITAL EXPENDITURE	2,94,68,019	24,51,539	3,19,19,558
	Revenue Account.			
Number of	Divisions	17	...	17
	Signal offices	324	23	347
	Messages { Private	1,34,58,113	15,88,382	1,50,46,495
	State	20,55,586	2,29,330	22,84,916
	Free	1,29,623	1,174	1,30,797
	TOTAL	1,56,43,322	18,18,886	1,74,62,208
Revenue	On Messages { Private	3,45,00,205	27,05,131	3,72,05,336
	State	90,00,443	5,06,239	95,06,682
	Free	19,58,362	22,195	19,80,557
	TOTAL	4,54,59,010	32,33,565	4,86,92,575
	Railway Telegraphs			
	Guaranteed	33,11,354	6,86,800	39,98,154
	Miscellaneous	3,71,438	1,50,730	5,22,168
	TOTAL	6,20,965	53,109	6,83,134
	Working expenses	4,97,71,767	41,24,264	5,38,96,031
	Net charge { Difference between Revenue and Working expenses)	5,74,41,001	37,44,186	6,11,88,187
	Per mile of line { Revenue	76,72,234	3,80,078	72,92,156
	Net charge	2,289,41	177,72	2,322,4
	Percentage on { Revenue	353,09	16,38	314,22
	capital outlay { Net charge	168,9	12,92	168,85
	Value of unused balance of stores at end of year	26,04	1,19	22,84
	TOTAL EXPENDITURE ON CAPITAL AND REVENUE	18,30,504	1,68,503	19,99,007
	DEFICIT ON TOTAL EXPENDITURE	8,69,12,020	61,95,725	9,31,07,745
		3,71,40,253	20,71,461	3,92,11,714

Review of Telegraph Accounts for the last five years.

REVENUE RECEIPTS.

YEAR.	MESSAGE REVENUE.			Claims from State Railways.	Claims from Guaranteed Railways.	Claims from Guarantors.	Saleable Books, Forms and Maps.	TELEGRAPH GAZETTE.				Miscellaneous.	TOTAL.
	Paid Messages.	Free Messages.	TOTAL.					Calcutta.	Rangoon.	Moulmein.	R		
R	R	R	R	R	R	R	R	R	R	R			
1879-80	36,58,725	1,13,973	37,72,698	3,14,053	99,061	35,401	2,813	10,480	2,141	...	14,799	42,51,446	
1880-81	38,71,179	46,498	39,17,677	4,08,336	95,096	45,090	3,508	10,936	2,439	...	18,405	45,01,637	
1881-82	32,11,001	43,737	32,54,738	4,21,177	97,714	55,202	2,432	10,883	1,956	900	9,210	38,54,212	
1882-83	32,75,608	43,774	33,19,382	6,05,413	97,224	99,011	3,081	11,106	2,071	900	18,961	41,57,239	
1883-84	(a)32,11,370	22,195	(a)32,33,565	5,89,813	96,987	1,59,730	3,219	11,292	(b)2,121	900	35,637	41,24,264	

REVENUE CHARGES.

YEAR.	LINE MAINTENANCE.						SIGNALLING.								TOTAL.				
	REPAIRS.			Share of Direction Accounts and Superintendence.	Profit and Loss.	TOTAL.	REPAIRS.			Share of Direction Accounts and Superintendence.	Profit and Loss.	TOTAL.							
	By Telegraph Department.	By Public Works Department.	Establishment.				By Telegraph Department.	By Public Works Department.	SIGNAL OFFICES.										
									Departmental.				Non-Departmental.						
	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R			
1879-80	1,61,385	694	1,30,975	4,12,109	90	7,05,253	1,190	30,990	41,998	16,37,324	57,623	4,12,110	8,987	4,139	1,678	...	8,570	130	22,04,739
1880-81	2,46,784	1,505	1,48,464	4,29,335	...	8,26,178	2,700	39,962	44,679	16,58,165	1,50,910	4,29,335	6,219	4,956	1,757	...	6,665	844	23,45,292
1881-82	1,82,148	2,575	1,63,698	4,44,665	225	7,93,251	1,716	32,336	45,667	17,11,954	1,81,776	4,44,666	10,426	2,262	1,715	277	9,432	226	24,42,393
1882-83	2,27,592	...	1,91,303	4,57,694	262	8,76,851	3,298	38,100	49,375	17,82,310	1,07,693	4,57,694	5,191	6,544	1,593	310	10,221	262	24,62,591
1883-84	5,09,681	180	2,00,550	4,59,817	500	11,70,128	1,706	37,237	46,319	18,90,569	1,21,850	4,59,818	4,962	4,119	(c) 2,810	246	3,982	500	25,74,058

Result of Operations for five years.

YEAR.	Capital Expenditure to end of year.	Revenue Receipts.	Revenue Charges.	Profit without Interest.	Miles of Lines.	Miles of Wire.	Number of Signal Offices.	NUMBER OF MESSAGES.			VALUE OF MESSAGES.			TOTAL.
								Inland.	Foreign.	TOTAL.	Inland.	Foreign.	TOTAL.	
1879-80	3,41,02,791	42,51,446	29,09,992	13,41,454	20,519'93	52,914'19	303	R	R	R	R	R	R	R
1880-81	2,50,68,267	45,01,637	31,71,470	13,30,167	20,346'17	56,087'66	310	R	R	R	R	R	R	R
1881-82	2,73,59,407	38,54,212	32,35,644	6,18,568	21,049'6	59,569'36	319	R	R	R	R	R	R	R
1882-83	2,04,68,019	41,57,239	33,39,442	8,17,797	21,740'	62,060'	324	R	R	R	R	R	R	R
1883-84	3,19,19,558	41,34,264	37,44,186	3,80,078	23,207'	68,669'	347	R	R	R	R	R	R	R

Return of the Number and Value of Foreign Messages "Sent" and Foreign Messages "Received" and "Transit" during the year 1883-84,
showing also the Increase and Decrease under each head on the figures for the previous year.

T IN PAID MESSAGES.		
	No.	Value.
Indian* .	1,551,488	18,60,986 15
Foreign { Departmental .	353,779	2
{ Railway .	811	1,502 3
TOTAL .	1,905,267	33,20,988 4

TOTAL PAID MESSAGE			
	No.	Value.	
Inland			
Departmental	1,855,077	18,461,600	0
Railway	157,231	1,594,982	0
Foreign	1,154,332	12,873,513	1
Departmental	315	8,935	15
Railway			
TOTAL	3,166,639	32,939,030	16

[illegible]

Abstract of Foreign Traffic for the year 1883-84.

CLASB OF MESSAGES.	ROUTE.																														
	WEST.												EAST.																		
	VIA TEHERAN.		VIA TURKEY.		PERSIAN GULF.		VIA SUEZ.		VIA AMOR.		VIA MADRAS.		VIA RANGOON.		NATIVE BORNIA.		TAVOY.		CEYLON.												
	No.	Indian Value.	No.	Indian Value.	No.	Indian Value.	No.	Indian Value.	No.	Indian Value.	No.	Indian Value.	No.	Indian Value.	No.	Indian Value.	No.	Indian Value.	No.	Indian Value.	No.	Indian Value.									
	R	a.	R	a.	R	a.	R	a.	R	a.	R	a.	R	a.	R	a.	R	a.	R	a.	R	a.									
INDIAN.																															
sent . . .	40,455	1,60,001	11	1,198	3,571	9	464	2,047	12	43,716	1,30,227	7	63	330	8	6,477	57,844	0	5,015	16,854	6	5,190	7,275	8	5	05	0	20,646	37,026	5	123,
received . .	25,223	1,27,854	0	1,501	1,019	4	568	3,820	0	47,856	1,76,915	1	89	228	15	0,003	19,523	1	4,299	15,599	13	...	...	5	60	6	20,585	38,580	4	107,	
TOTAL . . .	65,678	2,97,755	1	2,699	9,490	13	1,032	5,916	12	91,572	3,07,142	8	152	458	7	13,180	77,367	1	10,014	32,453	19	5,199	7,275	8	10	125	41,231	75,606	9	230,	
TRANSIT.																															
from East to West—																															
Vid Madras .	2,688	21,827	8	50	181	8	91	230	10	50,007	1,88,133	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	53,
Vid Rangoon .	393	2,724	0	9	17	4	12	50	4	8,714	34,255	5	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	9,
Vid Laingha .	1	3	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
From Ceylon .	488	1,713	4	7	18	15	3	20	3	5,054	14,238	14	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5,
Vid Tavooy .	2	13	8	...	...	...	...	...	...	40	18,	6	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
from West to East—																															
Vid Madras .	10,470	53,720	8	1,117	3,330	14	40	114	1	37,038	1,39,571	13	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	49,
Vid Rangoon .	1,303	6,081	7	138	472	1	7	22	2	6,307	24,245	8	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7,
Vid Laingha .	2	3	10	8	61	10	...	...	...	25	150	4	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
To Ceylon .	1,093	4,450	3	71	218	10	...	...	...	2,013	10,160	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4,
Vid Tavooy .	...	...	...	...	...	...	...	...	...	1	7	10	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
from West to West—																															
Received vid Bombay.	2	7	8	5	16	8	76	297	12	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Sent vid Bom- bay.	5	35	9	12	46	2	19	93	11	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
from East to East—																															
From Ceylon .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	789	2,899	0	164	421	14	...	...	...	...	...	...	...	...	...	...	...
Vid Madras .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Vid Rangoon .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Vid Amur .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	16	63	12	...	...	...	...	...	...	...	...	...	...	...	...	...	...
TOTAL . . .	16,447	90,589	9	1,426	4,363	8	253	835	11	111,899	4,10,946	10	...	...	805	2,062	12	164	421	14	1	3	3	...	...	...	...	...	...	...	...
GRAND TOTAL . . .																								362,							
ADJUSTMENTS . . .																								.
NET TOTAL . . .																								392,							

Abstract of Foreign Traffic with India by the Indo-European and Red Sea Routes for year 1883-84.

ROUTE.			NUMBER OF MESSAGES BY EACH ROUTE (EX- CLUSIVE OF TRANSIT.			PERCENTAGE OF NUMB	
			To India.	From India.	TOTAL.	To India.	From India.
INDO-EUROPEAN .	Vid Teheran		25,223	40,455	65,678	33'56	47'13
	Vid Turkey		1,501	1,198	2,699	2'00	1'40
	Persian Gulf Vid Karachi		568	464	1,032	0'76	0'54
RED SEA	vid Suez		47,856	43,716	91,572	63'68	50'93
TOTAL			75,148	85,833	160,981	100'00	100'00

Synopsis of Complaints in which this Department is concerned for the year 1883-84.

NATURE OF COMPLAINT.	NUMBER OF COMPLAINTS RECEIVED.				ADMITTED.				REJECTED.				NUMBER OF PAID MESSAGES.				PERCENTAGE OF MESSAGES WHICH FORMED THE SUBJECT OF COMPLAINTS.			
	Inland.		Foreign.		Inland.		Foreign.		Inland.		Foreign.		Inland.		Foreign.		Inland.		Foreign.	
	Total received.		Total admitted.		Total rejected.		Total.		Inland.		Foreign.		Inland.		Foreign.		Inland.		Foreign.	
	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.
Non-delivery	265	48	95	453	143	86	512	118	17	21	5	151	...	...	...	...	...	...	...	...
Delay	103	24	40	266	80	120	125	102	9	18	21	141	...	...	...	...	...	...	...	...
Error	112	22	6	170	12	6	114	45	7	1	...	...	...	...	...	...	...	...	...	...
Miscellaneous	133	20	9	162	109	168	133	22	3	3	...	...	...	...	...	...	...	...	...	...
Total	573	99	130	802	357	295	535	202	27	27	...	...	...	...	...	...	...	...	...	...

Increase of Traffic { Departmental 4'00 per cent.
 Railway { 43'29 "
 Foreign { 1'83 "
 Net { 7'75 "

Increase in the number of admitted complaints { Departmental 21'71 per cent.
 Railway { 7'24 "
 Foreign { 20'00 "
 Net { 30'17 "

* Exclusive of 1,24,374 messages transferred to Railways, which are included in the number shown under head "Railway." The addition of this number to the above figures will give the total number of Paid Inland Messages as shown in the printed Collection Return for 1883-84.

NOTE.—The figures in antiquas are those for the last year.

Synopsis of Complaints in which other Telegraph Administrations are concerned for the year 1883-84.

NATURE OF COMPLAINTS.	NUMBER OF COMPLAINTS RECEIVED.				ADMITTED.				REJECTED.				DISPOSED OF.				NOT TRANSFERRED TO OTHER TELEGRAPH ADMINISTRATIONS.				PERCENTAGE OF MESSAGES WHICH FORMED THE SUBJECT OF COMPLAINTS.			
	Inland.		Foreign.		Inland.		Foreign.		Inland.		Foreign.		Inland.		Foreign.		Inland.		Foreign.		Inland.		Foreign.	
	Total received.		Total admitted.		Total rejected.		Total.		Total.		Total.		Total.		Total.		Total.		Total.		Total.		Total.	
	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.	Railway.	Foreign.
Non-delivery	72	115	187	34	54	88	31	40	6	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Delay	76	149	225	48	81	129	27	35	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Error	38	81	119	31	10	41	15	2	17	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Miscellaneous	29	50	79	30	17	47	8	8	3	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total for the year	204	328	432	118	87	205	54	49	29	1	133	12	1	14	...	...	...	...	...	...	...	...	...	...
Balance from last year	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total	204	328	432	118	87	205	54	49	29	1	133	12	1	14	...	...	...	...	...	...	...	...	...	...

Increase in the number of admitted complaints. { Railway . . . 10'28.
 Foreign . . . 46'50.
 Net . . . 25'70.

Decrease in the number of admitted complaints. { Foreign . . . 46'50.
 Net . . . 25'70.

NOTE.—The figures in antiquas are those for the last year.

GOVERNMENT OF INDIA.
REVENUE AND AGRICULTURAL DEPARTMENT.

THE BUDAPEST GENERAL NATIONAL EXHIBITION, 1885.

Circular No. 12Ex.

Extract from the Proceedings of the Government of India, Department of Revenue and Agriculture, (Museums and Exhibitions),—dated Calcutta, the 9th February 1885.

READ the following—

No. 7, dated Calcutta, the 23rd January 1885.

*From—A. RITZ, Esq., Acting Consul for Austria and Hungary,
To—The Secretary to the Government of India.*

IN accordance with official intimation received by last mail from the Imperial and Royal Austro-Hungarian Minister for Foreign Affairs at Vienna, it is intended to institute a General National Exhibition,—

to be held at Budapest;
to be opened on 1st of May; and
to be closed on 15th of October;

and I have received copies of—

the Invitation;
Special Programme and General Regulations; and
forms of application;

for judicious distribution here; in consequence of which I deem it expedient to forward herewith to your hands—

20 Special Programmes;
20 Invitations;
60 Copies of Application;

100 Copies in all;

feeling convinced that by doing so, I shall best consult the interests at stake in regard to this National Exhibition.

THE BUDAPEST GENERAL NATIONAL EXHIBITION, 1885.—I. GROUP.

SPECIAL PROGRAMME AND GENERAL REGULATIONS OF THE INTERNATIONAL SECTION—SEEDS, CATTLE-FOOD, AND MANURING SUBSTANCES.

I.—Object and Direction of the Exhibition.

Simultaneously with and within the limits of the Budapest General National Exhibition, 1885, there will be held an International Exhibition of Seeds, Cattle-Food, and Manuring Substances.

The immediate management of this International Exhibition has been intrusted to the General Committee of the General National Exhibition, 1885, residing in Budapest (No. 6, Ferencz József-ter).

II.—Place and Duration of the Exhibition.

The General National Exhibition and simultaneously with and within the limits of the same, the International Exhibition of Seeds, Cattle-Food, and Manuring Substances will be held in the Town-Park of Budapest, on the territory designated for this purpose by the Capital.

The Exhibition will be opened on the 1st of May 1885 and closed on the 15th of October 1885.

III.—Object of the International Exhibition.

The object of the International Exhibition of Seeds, Cattle-Food, and Manuring Substances is to acquaint the Hungarian agriculturists with foreign produces and, in the interest of the

interchange of seeds, also with the foreign places of import, besides to furnish detailed particulars of the foreign agricultural situations, rendering it possible at the same time to foreigners to procure themselves a favourable market for their produces in Hungary.

IV.—Grouping of Objects.

The International Exhibition comprises the following classes :

(A) Seeds of Bread-Corns.

Comprising : summer and winter wheat, spelt (German wheat), and the like ; summer and winter rye ; spring and winter barley, distichons, square and hexastich ; white and black oats ; Indian-corn (maize). Buck-whents, millet, beans, peas, lentils, and rice may likewise be exhibited in this class. From all the above kinds of corn there may also be exhibited the respective varieties.

(B) Seeds of Medicinal Herbs.

Comprising : Seeds of Medicinal Herbs ; the herbs themselves as well in raw state as in their different states prepared for the trade.

(C) Seeds of Textile-Plants.

Comprising : hemp and flax, ramie (China-grass), nettlo-plants, and seeds of other textile-plants. It will be advisable to exhibit also whole plants.

The drawings of machineries and implements for the culture of hemp and flax, models of raiting-pools and of buildings may also be exhibited in this class.

(D) Seeds of commercial-plants and of agricultural industry-plants.

Comprising : rape, turnip, gold of pleasure, beetroot (sweet turnip), and hops ; models or drawings of tools, implements, machineries, and buildings required for the cultivation and conservation of hops, potatoe, chicory ; kinds of sorghum, woad, madder, mallow (*Althea rosen*), *Sapponaria* (soap-root). The plants may be exhibited in raw condition or as products of first manufacture.

(E) Seeds of Forage-Plants.

All kinds of clover, lucernes, red clover, and esparset ; autumn and spring vetches, beans, horse-beans ; all kinds of peas, lupines, swedes, mangel-wurzel, turnips, and cattle-carrots, &c. ; topinambur, mohar, panicum, and other kinds of millet ; all sorts of herbs and other forages or their respective seeds. Plants of the above seeds may likewise be exhibited in dry and rooted samples.

(F) Other kinds of Cattle-Food.

Refuse of factories, germs of malt, ground-malt, remains of beetroots (sweet turnip) ; all sorts of oil-cake, bran, and artificially composed cattle-food.

(G) Manures.

All kinds of mineral-manures, as plaster, lime (calx), marl, kali-salt, and the manures made of kali-salts ; phosphate and phosphates made of.

Of animal manures there may be exhibited : All kinds of guano, manure of bones, depressed and diffused bone-dust, horn-shavings, and the like.

Of composed manures : poudrette, and all kinds of compost, &c.

All the objects of this class shall be provided with labels containing the following particulars :

(a) Are the exhibited seeds produced by the exhibitor or did he buy them ?

(b) Denomination of the exhibited kind of seed and other nearer particulars.

(c) The place and, as far as possible, also the soil upon which the seed has grown.

(d) The quantity of hectoliters grown in the year 1884 on one hectare of the exhibited seed, if it has been produced by the exhibitor himself, or if he is able to furnish such particulars.

(e) Whether the exhibitor generally sells the exhibited seeds for cultural or for technical purposes ? If yes, how much a year and at what prices ?

All the seeds are to be exhibited in proper glass vessels provided either with lids or with stoppers, or a sum of 2fls. = 4/. shall be sent as the price for every such vessel.

Of every kind of seed at least 3 liters shall be sent.

In order to complete the exhibition of seeds, it is very desirable that the ripe exemplaries of plants should be exhibited with their roots, spikes, cobs, and spadixes.

It is further desirable to get proper particulars respecting the ingredients of the soil, the chemical analysis of the seeds, or other qualities being of importance for the valuation of the seed. All the necessary notes shall be represented either in form of tables, graphic drawings, or in any other way.

In class (A) (Seeds of [cereales] Bread-Corns) the weight of a hectoliter shall be especially noted.

In class (B) (Seeds of Medical Herbs) there is especially to be remarked :—

(a) the scientific Latin name of the seed respectively of the plant, together with the usual local denomination ;

(b) whether the exhibited seed of the medical herb has grown wild or been especially cultivated ?

(c) where, in which community, on what soil, eventually on what places of a special culture (forest, meadow, &c.) in which situation (mountain, river, bank, &c.) the exhibited object has been produced or gathered ? Is it regularly gathered ? Which are the therapeutic elements of the plant ?

Respecting the way of exhibition of the objects of this class it is desirable that the medical-plants should be exhibited in whole, rooted, and perfectly-developed samples, fastened upon a pasteboard or upon other small boards.

The ingredients of plants and the seeds employed for therapeutic purposes shall be exhibited also in their different degrees of preparation likewise in glass vessels or cylinders. Besides, there are to be exhibited the different ways of packing, as well as the ingredients of plants classed according to their different commercial qualities.

In class (C) (Seeds of Textile-Plants) there shall be likewise sent perfect plants with roots and fastened upon small boards provided with a long-measure.

In Class (D) (Seeds of Commercial-Plants and of Agricultural Industry-Plants) the following particulars should especially be given :—

(a) which method of culture is employed by the grower ?

(b) what ways are employed for the conservation, preparation for the market, and for the packing of the produce ?

Here too, as far as possible, there are to be sent perfectly developed plants as well as their produces in their different states of preparation as well as in the shape of ready commercial articles.

With the potatoes there is especially to be remarked : The designation of the species ; whether they are grown as table-potatoes or as cattle-food ; whether the latter are used for the manufacture of alcohol or of starch ?

Of hops there are to be sent at least 500 grams in glasses, besides at least 5 klgr. in sacs, for the sake of comparison. The method of drying and of the conservation of hops is likewise to be shown.

Of beetroots and of potatoes there is to be sent a quantity of at least 5 klgr. and exhibited upon glass or wooden plates.

Of beetroots in dry condition 2 klgr. will be sufficient.

Models and drawings of machinery and tools for the conservation of beetroots and hops, as well as the buildings for the drying of hops, may be exhibited in this class in models or in drawings.

The different methods of packing are to be shown respecting the hops as well as the dyeing plants. With the dyeing plants there shall be exhibited, besides the seeds, also such parts of plant which are used for the extraction of colour, as they are generally classified in commerce.

In class (E) (Seeds of Forage-Plants) the drawings and models of the implements or buildings destined for the preparation or conservation should also be exhibited. Besides, it will be advisable to give information respecting the method of cultivation employed by the exhibitor ; how often he mows, in which way he proceeds with the conservation and preparation of cattle-food, as well as the proportion observed in the mixing of the several kinds of forages.

Together with the exhibition of the forage-plants, there shall also be submitted the report of a Control-Station of Seeds, and remarked whether the seeds themselves are likewise used for cattle-food ?

Besides, it will be required that the forage-plants should be exhibited in their different states of development and from the different seasons, in perfectly rooted exemplaries as well in their state ripe for mowing as entirely developed with perfectly ripe seeds.

Also here there may be used white paste-boards, containing a long-measurement as well as the principal particulars respecting the nature of the soil, quantity of production in green and dried state, and the chemical analysis, &c.

Of swedes and of topinambur there shall be sent 5 klgr. of each with special designation of the species, likewise to be exhibited on glass or wooden plates.

In class (F) (Other kinds of cattle-food, as oil-cakes, &c.) there shall be sent likewise 5 klgr. Oil-cakes shall be exhibited as whole cakes as well as ground. The bruised (crushed) forages as well as those exhibited in small pieces shall be put in glass vessels with lids.

The exhibiting factories and merchants are requested to communicate, besides the price of the object, also the freight up to the principal European railway, or steamboat-stations.

In class (D) (Manures) 5 klgr. of each sort are to be sent in glass vessels, as hermetically closed as possible. Here too the freight up to the principal European stations should be remarked besides the price of the objects.

V.—Prizes.

The most eminent objects exhibited will be distinguished in the sense of the Jury-Regulations.

The prizes are the following :

1. Great Diploma of Honour.
2. Bronze-medal.

The one side of the Medal contains the chief merits of the exhibitor in terms as :

For excellent producees, for excellent manure, &c.

Besides the Medals there will be distributed special Diplomas containing detailed designation of the merits.

The General Committee will take care of the interests of foreign exhibitors by admitting into the Jury a corresponding number of foreign members.

VI.—Reduction of Freight.

The General Committee has taken the necessary steps in order to procure the greatest possible reduction of freights, on all lines (railway and steamer) of the Austro-Hungarian Monarchy, for the objects of exhibition, as well on the entry as on the eventual return-journey of such objects.

VII.—Exemption from Duty.

The duty-free importation of the objects of exhibition has been granted by Art. 10 of the XVI Law of 1882.

The Royal Hungarian Ministry of Agriculture, Industry, and Commerce will claim the assistance of the Imperial and Royal Ministry of Foreign Affairs, to obtain, whenever it shall be necessary, the duty-free transport to the respective countries of all exhibited articles that should not have been sold during the Exhibition.

VIII.—Application.

Applications must be made on special blank forms, to be forwarded free of charge by the General Commission, which blank forms shall be filled up properly and legibly and sent in duplicate to the office of the General Commission (Budapest, V, Ferencz József-tér No. 6) at the latest till the last day of August 1884. The same Committee will be answerable for a prompt and quick despatch of all applications, and will pay every attention to the correspondence with Exhibitors.

IX.—Acceptance and Admittance.

The General Committee will decide upon the acceptance of the notified objects.

In case of acceptance of any object to be exhibited, the Exhibitor will receive a Certificate of Admittance within 30 days after sending in his application.

X.—Rent for Space.

The rent for space has been fixed as follows :—

(a) For a space of one square meter 8 fls. = 16/.

(b) a space of one square meter beside the wall 6 fl. = 12/.

The wall itself to the height of 3 meters being included in this latter case.

No space less than a meter can be hired.

Half of the rent to be paid down to the counting office of the " Magyar országos bank részvény-társulat Budapest " at the latest within 30 days from the remittance of the Certificate of Admittance, and the other half at the latest till the 15th of May 1885.

If the rent is not paid in due time, the General Committee will be entitled to dispose otherwise of the space claimed. If, after having paid down the first half part of the rent, the applicant does not exhibit, no money will be returned.

If, after the placement of articles, it should appear that more space has been occupied than stated in the application, the difference shall be paid up to the 15th of July 1885.

XI.—Stands and Tables.

The General Committee itself will provide for the stands, tables, &c., required for the Exhibition, for the use of Exhibitors, at a moderate price.

In case of any Exhibitors wishing to exhibit upon his own stand or case, drawings of such stands or cases shall be submitted to the approval of the General Committee.

XII.—Transport.

All articles to be exhibited shall be sent free to Steamship or Railway Stations of Budapest. If the returning of any article be required, it is to be declared in the application, no subsequent claim being admitted in the contrary case.

XIII.—Bills of Delivery. Sending in.

Before forwarding the articles, bills of delivery must be sent in to the General Committee containing the exact list of articles.

All objects for exhibition shall be sent between the 15th February and the 15th March 1885.

XIV.—Objects to remain exhibited.

No object exhibited will be permitted to be removed before the closing of the Exhibition, *viz.*, before the 15th October 1885, except with the permission of the General Committee.

XV.—Arrangement, Custody, and Cleaning.

The General Committee will provide for a necessary number of trustworthy persons for the arrangement, custody, and cleaning of the articles exhibited.

No guarantee will be given for losses or damages happening on the premises.

XVI.—Fire Insurance.

The General Committee will undertake to insure all objects against fire at a premium in proportion to the value stated in the application.

XVII.—Commercial Agents.

The General Committee will provide for active and experienced Agents to act as the Commercial Representatives of Exhibitors at moderate fees. Any claim for such representation shall be expressed under the proper head of the application.

Exhibitors represented by their own Agents are requested to announce them in time to the General Committee.

XVIII.—Catalogue.

With regard to admission in the Catalogue, Exhibitors may, besides their Firm and the list of the objects to be exhibited, supply, in due time and in as concise a form as possible, also statistical or descriptive particulars concerning their produce or their trade.

Regular advertisements will only be admitted at a moderate tax to be fixed subsequently.

XIX.—Subsequent Publications.

Subsequent Special Regulations or Publications issued by the General Committee respecting the objects of Exhibition will be either forwarded direct to the Exhibitors or by way of Agents to be published in the different countries.

XX.—Acceptance of Regulations.

With the sending in of the Application, every Exhibitor submits, in his own name and in that of his representatives and employés, to the above Regulations, as well as to all further directions that may be issued by the General Committee.

In the name of the General Committee of the Budapest General National Exhibition, 1885.

MATLEKOVITS, *President.*

COUNT EUGEN ZICHY, *Second-President.*

Invitation concerning the International Exhibition of Seeds, Cattle-Food, and Manure.

In conformity with a Bill submitted to the Hungarian Legislature by Count Paul Széchenyi, Royal Hungarian Minister of Agriculture, Commerce, and Industry, a Law (XII, 1883) has been passed for the purpose of instituting a "General National Exhibition" to be held in Budapest, the same having on the 9th March 1883 received the sanction of His Imperial and Apostolic Royal Majesty Francis Joseph I.

By this Law the Budapest General National Exhibition to be held in the year 1885 has not only been placed under the patronage of the Hungarian Government, but has been declared

a National Question; the Government being charged with the preparatory and organizatory works, as well as with the direction of this Exhibition.

A General Committee has been appointed by the above-named Minister and intrusted with the immediate management of the affairs of the Exhibition.

This General Committee will be presided by Dr. Alexander Matlekovits, Secretary of State, while Count Engen Zichy, President of the National Industrial Society, will be Second-President, and Dr. Julius Schnierer, Ministerial-Counselor, will be Director of the Committee.

The General Committee, all by maintaining the limited character of the Exhibition, intending to produce in the first line only as complete and faithful a picture as possible of the Natural and Industrial Produces of Hungary, has decided to organize, simultaneously with and within the limits of the General National Exhibition, an International Exhibition of Seeds, Cattle-Food, and Manure, with the participation of any Foreign Country.

The object of this International Exhibition is to acquaint the Hungarian agriculturists with foreign produces and, in the interest of the interchange of seeds, also with foreign places of import, and generally to give a clear picture of foreign agricultural production, whereby opportunity shall be given to foreigners to procure themselves a favourable market for their produces in Hungary.

These general points are the main cause which have induced the General Committee to admit into the Agricultural Section seeds, cattle-food, and manure also from abroad, and to permit also foreign products to compete, whereby the interests of foreign Exhibitors shall be taken into due consideration and protected by way of appointing foreign members into the Jury.

In the name of General Committee of the Budapest General National Exhibition, 1885.

MATLEKOVITS, *President.*

COUNT EUGEN ZICHY, *Second-President.*

THE BUDAPEST GENERAL NATIONAL EXHIBITION, 1885.

* Number

** Number of Catalogue

Application respecting the International Exhibition of the First Group of the Budapest General National Exhibition, 1885, for Seeds, Cattle-Food, and Manure.

I. THE EXHIBITORS:

Name or Firm _____
Address (postal or railway) _____

II. SPACE REQUIRED BY EXHIBITOR:

(a) Space for objects freely exhibited:

Length _____ in meters,

Breadth _____ "

Height _____ "

(b) Space along the walls or in the cases besides the walls:

Length _____ in meters,

Breadth _____ "

Height _____ "

REMARKS: _____

*** 1. To be filled up by the Exhibition Office.

2. Every Exhibitor shall fill up two blank forms distinctly and legibly and send them to the General Committee. (Art. VIII of Regulations.)

3. Exhibitors who wish to exhibit their articles on their own tables or stands, shall previously present drawings of the same. (Art. XI of Regulations.)

No.	III. Object of Exhibition.	THE OBJECTS.	
		Insured value.	Price of sale.*

* Remarks. This head is to be filled only if the object is to be sold.

IV. STATISTICAL DATA.

(Under this head the explanatory particulars required in the Regulations are to be given.)

V. REMARKS.

(Under this head any wish of the Exhibitor, as to the sending back of objects, commercial representation, &c., is to be expressed.)

VI. DECLARATION.

we the undersigned do declare by these presents to be fully aware of, and to submit to the Special Programme and General Regulations of the International Section for Seeds, Cattle-Food, and Manure of the Budapest General National Exhibition, 1885.

_____ day of _____ 188_____

Signature.

VII. CERTIFICATE OF ADMITTANCE.

No. _____ To _____
_____ in _____

The General Committee of the Budapest General National Exhibition, 1885, has granted in the International Section for Seeds, Cattle-Food, and Manure, to

a space of _____ claiming for the same
the sum of _____
Dated _____ the _____ 188_____
In the name of the General Committee :

For the correctness of the measurement
and taxation of the space.

ORDER.—Ordered, that the above be published for general information in the *Supplement to the Gazette of India*; also that copies be forwarded to the several Local Governments and Administrations noted on the margin for publication in the *Local Gazette*.

Government of Madras.	
" Bombay.	
" Bengal.	
" the North-Western Provinces and Oudh.	
" the Punjab.	
Chief Commissioner, Central Provinces.	
" British Burma.	
" Assam.	
Secretary for Berar to the Resident, Hyderabad.	

(True Extract.)

T. W. HOLDERNESS,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT:
RAILWAY CONSTRUCTION.

CONSTRUCTION OF THE NAGPUR-BENGAL RAILWAY.

No. 159 R. C., dated 11th February 1885.

ORDER—By the Government of India, Public Works Department.

Read again—

Railway Despatch to the Secretary of State for India, No. 132 of 18th August 1883.

„ „ „ „ „ „ „ „ „ 17 of 29th January 1884.

ORDER.—Ordered, that these Despatches be published in the Supplement to the *Gazette of India* for general information.

W. S. TREVOR, *Colonel, R.E.,*
Secretary to the Government of India.

Railway Despatch to the Secretary of State for India, No. 132, dated 18th August 1883.

*** 5th March.**—"Paragraph 4 of your Railway Despatch No. 21 of 8th February this year. Location surveys promised in paragraph 7 of our Railway Despatch No. 113 of September 13th last year will be submitted after close of season. If any further information required, please explain."

9th March.—"Yours fifth. Location survey alone will not be sufficient. Estimated cost and traffic also required of proposed line, and alternative routes and gauge; likewise evidence as to work being Protective or Productive."

6th July.—“Bengal-Nagpur Railway. Result of survey Sitarampur to Bilaspur, 365 miles, 205 lakhs; and Bilaspur to Nandgaon, 116 miles, 93 lakhs; totals, 481 miles, 388 lakhs. Nandgaon to Nagpur not cost converted line, allowing value metre-gauge material and stock, roughly 112 lakhs. Details shortly. Grand total, 5 crores. We strongly recommend early concession to Hoare Miller.”

With reference to our telegrams dated the 5th March and 6th July last, and your Lordship's reply to the former,* and also to the desire expressed in the 4th paragraph of your Lordship's Despatch No. 21 Railway, dated the 8th February last, to be "furnished with full evidence of the general soundness of the proposed plans and of the grounds on which the particular lines have been selected," we have now the honor to forward the results of the further surveys and other investigations which have been made during the past season, together with as full a statement of the

whole case as it appears practicable or necessary to prepare.

Historical sketch.

2. The project of a railway from Nagpur into the Chhattisgarh District of

† Minute, dated 6th October 1863.

† Minute, dated 6th October 1863.

† Minute, dated 28th March 1868.

† Minute, dated 28th March 1868.

§ Minute, dated 21st May 1870.

§ Minute, dated 21st May 1870. India recommended the construction of a State Railway to Raipur on the metre gauge, but the Secretary of State declined ||
|| No. 82R., dated 18th July 1872. to sanction the project without further proof of its financial success. In 1872 Colonel Keatinge, Officiating Chief

|| No. 82R., dated 18th July 1872.

Commissioner, submitted a revised project, which the Government of India deemed financially satisfactory, but the Secretary of State desired further investigations by Mr. Morris, which were reported in due course, but without eliciting the desired sanction.* In 1874 Mr. Morris submitted a further examination of the project as far as Dongargarh, with the complete surveys and estimates which had in the interval been prepared, and it was in 1876 a fourth time recommended to the Secretary of State by Lord Northbrook's Government, but on this occasion with the substitution of the broad for the metre gauge. The Secretary of State hereupon accorded a general sanction, subject to financial considerations, but negatived the adoption of the broad gauge.† The famine of 1876-78 prevented any commencement until 1878-79, but the line was gradually opened to Dongargarh in 1882, and extended to Nandgaon, 19 miles further, early in the present year.

* Despatch to Secretary of State, No. 68R., dated 18th April 1872.
Reply No. 82R., dated 18th July 1872.
To Secretary of State, No. 29R., dated 12th February 1873.
Reply No. 65R., dated 1st May 1873.

† Minute, dated 6th March 1874, to Secretary of State, No. 29R., dated 3rd February 1876.
Reply No. 43R., dated 27th April 1876.

3. The design of carrying the line into the heart of the Chhattisgarh country, and even on to Bengal in due time, did not escape notice during the period which has thus been reviewed, but during the earlier years the necessity for so full a measure was considered too remote, and during the later ones an apprehension would seem to have prevailed lest the advocacy of too large a project might imperil even the small one, from Nagpur to Dongargarh, then under immediate consideration. Information was, however, collected, surveys were commenced, and a more definite shape was imparted to the matter by proposals made in June 1877 by Mr. Prestage to form a Company to construct the entire line from Nagpur to Calcutta direct. These proposals were found to be impracticable, but in view of the postponement of State construction on account of the famine, Mr. Morris was invited to consider what concessions might fairly be made to a private company prepared to undertake the line. Here the matter practically rested, the Nagpur-Nandgaon section being in the meantime in progress, until 1881, when we received, both direct and from your Lordship,‡ overtures from Messrs. Burn and Co. and Messrs. Hoare, Miller and Co. for the formation of Companies to construct a broad gauge line from Barrakur, on the East Indian Railway, to Nandgaon, and the purchase and conversion to that gauge of the State Railway from Amgaon to Nagpur.

‡ Despatch No. 106R., dated 11th August 1881.

4. In consequence of these overtures, preliminary surveys and other enquiries were carried out in the ensuing cold season, and on the 8th May, 1882,§ we forwarded the results to your Lordship, together with Messrs. Hoare, Miller and Co.'s proposals, of which we approved, with the exception of desiring that the limited guarantee of interest should be in rupees instead of in sterling. We likewise forwarded || proposals from Messrs. Burn and Co., which comprised, in addition to the construction and conversion, as above, the purchase of the Bengal Iron Works. Fuller information followed,¶ but your Lordship declined to continue negotiations with Messrs. Hoare, Miller and Co. until (1) our views had been received on "the general policy to be pursued in the future with respect to railway construction in India, especially in its financial aspect;" and (2) the results of the further surveys during the past season, and other information, had been supplied.

§ No. 126 A., Department of Finance and Commerce.

|| Despatches Nos. 83 and 148 Railway, dated July 1st and November 7th, 1882.

¶ Despatches Nos. 113, 118 and 170R., dated 9th and 26th September and 19th December 1882.
1. Despatch No. 98R., dated 27th July 1882, and No. 21R., dated 8th February 1883.
Telegram, dated 9th March 1883.

5. Our views on railway policy in general were submitted in our Despatch No. 29, Finance and Commerce, dated the 23rd January last, and we therein specially advocated (paragraphs 26-27 and 67) the concession of this railway on the "Bengal Central terms." This recommendation has since been repeated in our telegram, dated the 6th ultimo.

The remaining information required by Your Lordship we will now endeavour to supply, inviting attention to the documents which accompany this Despatch.

Route.

6. Passing over the discussions which preceded the adoption of the line, now open, from Nagpur to Amgaon, the first question for settlement has been whether Sambalpur, or its vicinity, as an obligatory point, should be reached by the direct line of the old road through Raipur and Fuljhar, or by a more northerly one passing near or through Bilaspur, and along the left bank of the Mahanadi. The two routes were carefully surveyed in 1876-77 by Mr. F.L. O'Callaghan, C. I. E., and a sufficient staff. The direct line was found to possess certain advantages as far as Raipur, but from a short distance beyond that town it was ascertained to pass through a rough, hilly, and scantily peopled country, fully as expensive to traverse as, but affording none of the advantages mineral as well as agricultural, notoriously possessed by, the tract north of the Mahanadi. This conclusion, concurred in by the Chief Commissioner, Mr. Morris, and other officers concerned, has never been questioned, and may be finally accepted.

7. The next question which arose was, how the left bank of the Mahanadi thus preferred should be reached from Dongargarh. Three proposals have been put forward and tested by survey—

1st.—Direct line from Dongargarh to Bilaspur, or to Surgaon on the Maniari river (a few miles short of Bilaspur), and thence eastward through Raigarh, &c. This was surveyed by Mr. O'Callaghan in 1876-77.

2nd.—From Dongargarh, through Nandgaon to Raipur, and thence north-east, through Loan and across the Seonath, to fall into No. 1 line beyond Surgaon or Bilaspur. Surveyed by Mr. O'Callaghan as far as Raipur.

3rd.—From Dongargarh through Nandgaon to Raipur, thence north by Singah across the Seonath at Gurba to Surgaon, and so eastward, as before. This route has been surveyed by Mr. Penny.

Of these routes the second was advocated in 1877 by Mr. Morris, when condemning the *direct* line to Sambalpur, because he considered Raipur, which the first route leaves far aside, to be an obligatory point. But on further consideration he held, in 1880-81, that this route would “sacrifice the best interests

of the Bilaspur District,” the richest portions of which lie to the west and north-west.* He consequently decided

on the third route, which is a medium between the two, and is the final project for extension, which has been since matured. The soundness of his conclusion was confirmed by the enquiries made of the Commissioner of the Chhattisgarh Division and other local officers by our Hon'ble Colleague, Mr. Hope, when visiting Nagpur and Nandgaon in March last. We consider it to be finally established by the able report of Mr. J. B. Fuller, the Director of Agriculture in the Central Provinces, forwarded herewith, which shows the necessity of affording a fair balance of railway facilities to the wheat and oil-seed-producing tracts of Chhattisgarh on the one hand, and to the soils best suited for rice on the other. Whether the line should turn eastward immediately after crossing the Maniari at Surgaon, or at a point closer to Bilaspur (on the south), is a matter of detail which will depend on the prospects when construction is actually in hand, of the project for connecting Chhattisgarh with

* Chief Commissioner's letter No. 1789 of 4th March 1881.

† See our despatch No. 83 Railway, dated the 2nd June 1883.

Central and Northern India by a line from Bilaspur, through the Rewah coal-fields, to Etawah or Lalitpur on the Bhopal-

Gwalior Railway.

8. It had been assumed so far by the Central Provinces authorities, that the line would unquestionably be continued eastward from Bilaspur

through the tract north of the Mahanadi already referred to, so as to serve the remaining eastern portion of those provinces. But a new aspect was imparted to the discussion when, in 1881, the project of a through line was seriously taken up on the applications of Messrs. Burn and Co. and Hoare, Miller

* No. 1607R. of 15th June 1881.

and Co. The Bengal Government submitted* a series of notes by Mr. Ball, of the Geological Survey, Mr. Hewitt, the Commissioner of Chota Nagpur, and the Central Provinces authorities. Retaining Barrakur, Ranigunj or their vicinity as the objective point, in accordance with previous generally accepted ideas, Messrs. Ball and Hewitt advocated totally different routes therefrom to Bilaspur.

Mr. Ball was in favor of a line passing through Purulia, Seraikila (Chyebassa), Kolabira, Pudampur, and the fertile tract north of the Mahanadi, already referred to, and he pointed out that this line would pass through the copper ores of Singbhoom and the coal fields of Hengir, and would allow of a branch being thrown off from some suitable point to Cuttack, the head-quarters of Orissa. Mr. Hewitt, in the interests of his province, strongly urged that the line should go west from Barrakur up the valley of the Damuda, then scale the Chota Nagpur plateau to Ranchi and Lohardugga, and proceed through the Native States of Burwah, Sirguja, Uprora, Korba, and down the Husdo to the vicinity of Bilaspur. He also proposed a branch from the vicinity of Lohardugga to Gya. He claimed for this project the advantages that it would pass through the coal fields of the lower Damuda valley, of Sirguja, and of Korba; that it would open up the resources of Chota Nagpur; and that it would prove as remunerative as the southern route favored by the Central Provinces and Mr. Ball. His views were explained in great length in three

† Secretary of State's Despatch No. 98R. of 27th July 1882.

notes on this occasion, and were also summed up in a note dated June 11th, 1882, and presented to Your Lordship† in

England.

The Central Provinces authorities pointed out‡ that Mr. Hewitt's route

‡ Colonel Mayne's note dated 26th March 1881. Chief Commissioner's letter No. 3009 of 7th April 1881.

would not meet the wants of their Eastern Districts. The line through these districts would, they showed, run "for the most part through well cultivated country,"

"capable of great improvement," as also "benefit the fertile district of Sambalpur, which is already cultivated to the extent of 750,000 acres," and open up the Hengir coal fields, while to the north of it "stretch extensive ranges of sal forests, the timber of which can be floated to the vicinity of the line by the several large streams that flow from the north at right angles to the Mahanadi," and would "undoubtedly prove a financial success." They also argued that the northern or Sirguja route would neither be any advantage to the Central Provinces nor, on Mr. Hewitt's own showing, remunerative in itself. Finally, as a middle course which might meet the chief needs of Chota Nagpur without sacrificing those of the Central Provinces, they suggested the possibility of a route leaving their "southern route" in the locality of Suadi and crossing over the Chota Nagpur plateau to Barrakur.

9. As this important question could obviously not be otherwise settled, we ordered, on the recommendation of the Bengal Government, a thorough investigation of the three rival routes, to be made during the cold season of 1881-82, by an ample and efficient staff under Mr. W. H. Parker, M.I., C.E.

10. The preliminary report of this investigation was forwarded to Your Lordship on the 8th May 1882 (Despatch No. 126A., Finance and Commerce) with Messrs. Hoare, Miller and Co.'s proposals and our provisional opinion, in which the Bengal Government concurred, that the southern route was the proper one to follow. On the 9th September 1882 (No. 113 Railway), we transmitted Mr. Parker's full report, accompanied by a final opinion in favor of the southern route by the Lieutenant-Governor of Bengal, and our own to the same effect. The concurrence of the Chief Commissioner, Central Provinces,

in this conclusion was submitted to Your Lordship with our Despatch No. 118R. of 26th September, 1882. We likewise received an intimation from Messrs. Hoare, Miller and Co. that they would accept no other route. Messrs. Burn and Co. took the same view, in their proposals forwarded with our Despatch No. 148R., of 7th November 1882. On the 19th December 1882, we also reported (Despatch No. 170R.) that at a conference held at Gya between our Hon'ble Colleague Mr. Hope and certain local and other officers deputed by the Government of Bengal, the "southern route" was unanimously approved of, Mr. Hewitt himself concurring, and stating that he had now satisfied himself that the wants of Chota Nagpur would be best satisfied by lines in a transverse direction, *viz.*, from Benares and Gya, through the province southwards, to Cuttack.

11. The grounds of this decision in favor of the southern route, as to which all authorities in India and Messrs. Hoare, Miller & Co., are unanimous, can best be gathered from a study of the very voluminous correspondence accompanying the preliminary and final reports of the survey of 1881-82, which are before your Lordship. But they are well stated in the letter of the Govern-

* Enclosure No. 2 to our Despatch No. 113R. of 26th September 1882. ment of Bengal, No. 2519R., of 31st July, 1882,* and are summarised in paragraphs 3 to 5 of our Despatch quoted marginally. The particulars of the three routes as then reported were as under :—

ROUTE.	Length in miles.	ESTIMATED COST, INCLUDING LAND (CONVENTIONAL STERLING).	
		Per mile.	TOTAL.
1881-82.		£	£
Northern, red	393	7,542	2,965,000
Intermediate, purple	378	7,443	2,910,000
Southern, blue	367	8,096	2,960,000

The northern route may be said to have been condemned, because it (1) would not serve the eastern part of the Central Provinces; (2) allowed of no branch to Orissa; (3) did not suit the wants of Chota Nagpur itself; (4) would be expensive to work, owing to numerous and long heavy gradients; (5) afforded small traffic through a large portion.

The intermediate route was generally rejected, as passing through a rugged country, involving expensive working, and not meeting generally the wants of any of the provinces concerned.

The southern route was accepted as meeting satisfactorily the wants of all, *viz.*—(1) serving the Central Provinces in full; (2) admitting readily of a branch to Orissa; (3) traversing the whole Manbhoom and Singbhoom Districts; (4) intercepting at right angles, within easy distance, all the traffic westwards from Chota Nagpur; (5) commanding the largest extent of cultivated and culturable country; and also as being (6) the shortest in length, and (7) the cheapest to work, in consequence of its easier and shorter gradients and its flatter curves. We may add that the above conclusions, both administrative and financial, are now corroborated by the location survey of this route completed last cold weather, the report on which accompanies this Despatch, together with a letter of approval from the Lieutenant-Governor of Bengal.

12. It will have been observed that the junction of this route with the East Indian Railway has been spoken of by various writers in the course of the correspondence, as at Barrakur, at Sitarampur, and at Raniganj. We may therefore mention that Sitarampur is the station finally selected, in order to avoid a double crossing of the Barrakur and Damuda rivers, and to secure the most favorable site on the latter. The matter is explained by Mr. Parker in the Enclosure No. 1 to our Despatch No. 126A., Finance and Commerce, dated 8th May 1882.

13. Although we have thus finally selected the "southern route," our review of the question of route would be incomplete without some notice of the alternative of carrying the line from the locality of Chyebassa direct to Howrah *viâ* Midnapur. This alternative had our

Extract, paragraph 3 of letter to Government of Bengal No. 622R.C., dated 18th August 1881; enclosure No. 4, to Despatch to Secretary of State No. 121R., dated 22nd October 1881.

8. "The Government of India, in considering the question of the direction of these lines, has preferred the northern line to any running from Calcutta, *viâ* Midnapur and Cuttack, because the Railway being undertaken to a great extent for famine protective purposes, it seems that the const canals will partially protect this latter country, while it will be easy in the future to make a junction of the northern line, from some point north of the Mahanadi river, with Cuttack, should such a measure prove eventually desirable."

careful consideration in 1881, and when ordering the preliminary surveys in that year we addressed the Bengal Government as per margin. We likewise examined the proposal of Mr. Prestage in 1877, already alluded to (*vide supra*, paragraph 3), and came to a conclusion adverse to it, on the score of its being both expensive and unnecessary. We consequently remarked, in our Despatch No. 118 Railway, dated 26th September 1882, that the Midnapur route did not require any present

consideration.

14. In January last, however, Mr. Prestage reopened the question, so we directed a reconnaissance to be made, under Mr. Parker's orders, of the best line from a suitable point on the southern route, near Chyebassa, *viâ* Midnapur, to Howrah. The result, together with the opinion of the Government of Bengal upon Mr. Spring's reconnaissance, and a letter which we have addressed to the Bengal Chamber of Commerce, will be found among the enclosures to this Despatch.

15. It will be observed that, comparing the route from Dugni to Howrah direct *viâ* Midnapur, and to Calcutta, *viâ* Sitarampur and the East Indian Railway, there would be by the former a saving of 71 miles in distance run, but an excess of 67 miles of new line to be constructed, and of Rs. 1,28,01,245 in capital outlay. Moreover, by the interest on this additional sum, by the absence of the cheap coal obtainable at Sitarampur, and by the heavy maintenance of embankments and large bridges subject to frequent floods and to the risk of cyclonic waves, the Midnapur line would be so weighted that a ton of goods could be carried as cheaply *viâ* Sitarampur. In time there might be some saving, but this would be ill compensated for by a terminus at Howrah, which, now that the bridge at Hooghly is in progress, is generally considered to be less convenient than the east side of the river.

16. Independently of the above considerations, there can be no doubt between the amount of traffic which would be served by the two. The peculiar virtue of the Sitarampur route, in acting, as has been explained in paragraph 19, as an intercepting drain to the traffic of the whole country west of it, would be lost by the adoption of its rival, and the bulk of the traffic of Chota Nagpur and Manbhoon would continue, as at present, to wend its way painfully in bullock carts to the various stations on the East Indian Railway. The first portion of the route, from Dugni to Midnapur, is confined by hills and sparsely populated; the second, from that town to Calcutta, is already well served by the Midnapur canal, which last year carried 329,000 passengers and 138,000 tons of goods by steamers and boats, and might prove so formidable a competitor that the line might be reduced to the through traffic from beyond Dugni as its principal remuneration. The contrast between the two is clearly put in paragraph 82 of Mr. Risley's note, to which, as also to the Lieutenant-Governor's opinion contained in No. 2948R., dated the 28th July 1883, we would invite attention. It is quite possible that at some future date, when the trade of the Central and Upper Provinces, and of Chota Nagpore, has largely developed, a line from Dugni to Howrah, or preferably Hooghly, may be found to be remunerative, but there is nothing at present to justify the abandonment, for it, of the obvious advantages of the Sitarampur route.

17. This conclusion, adverse to the Midnapur route, is in harmony with that arrived at on previous occasions when a railway to Midnapur, with exten-

sion westward, has been under consideration, and we see no ground for questioning its soundness.

Gauge.

18. We touch on this question in accordance with the request in Your Lordship's telegram of the 9th March last, but shall do so with reference solely to the circumstances of the particular line under consideration. We do not feel called upon to enter into any discussion of the relative merits of the broad and metre gauges in the abstract. During the earlier discussions regarding the Nagpur-Dongargarh Railway except those in 1867, when the Government of India expressed itself on Imperial grounds in favor of the broad gauge, it was assumed that the gauge should be metre because, as would appear, that gauge was at the time believed to be generally suitable to the traffic demands and limited financial resources of India. In 1876, however, when the necessity for discriminating between mere local lines, and main communications, liable to heavy demands for through traffic, special exports or military exigencies had become apparent, and had been recognised by the Secretary of State for India in the case of the

Punjab Northern and Indus Valley State
Railways, Lord Northbrook's Government

* Despatch No. 29, dated 3rd February 1876. advocated* the adoption of the broad gauge for the Nagpur-Dongargarh Railway. The grounds assigned were the convenience to the grain traffic, and the saving in coal supplied from the Warora collieries, by avoiding transshipment at Nagpur, but we believe the probability of eventual extension to Bengal was also taken into account. The Secretary of State disapproved of this departure from the original project, on the ground that "no reasons are assigned for the proposal which might not be applied to every new line of railway," and the line to Nandgaon has consequently been constructed on the metre gauge.

19. We understand the policy, in respect of gauge, accepted for some years past by the Government of India and the Secretary of State to be as follows. The metre gauge is to be invariably adopted for provincial and local railways, "specially constructed for a slow goods traffic," designed "to stimulate the exchange of commodities and provide for a goods traffic with special reference to local needs and local means," regarding which "it may certainly be said that the traffic upon them will be light," and that "a network of subsidiary lines" of this nature, at the lowest possible cost, is to be promoted as far as possible. The broad gauge, on the other hand, is recognised as suited to "supplementary through lines of communication," or those which are "desirable on strategic and military grounds," and while demands for such are to be examined with caution, they may be admitted where the traffic can be shown to require it, and in the case of existing metre gauge lines, relief to the trade of the country may be afforded even "by relaying them on the broad gauge."†

20. Concurring in this policy, as our recommendations in respect of various railway projects on the metre gauge will have shown, we consider that the present instance is undoubtedly one for the adoption of the broad gauge.

- (a) The line is a "through line," covering the shortest distance between Bombay and Calcutta, and though the through traffic may not be very heavy, the double break of gauge, which would result from interposing the narrow gauge between two broad gauge lines, would cause serious delay, inconvenience and expense.
- (b) The line will likewise, if the Nizam's Railway be constructed, become a "through line" to the Deccan and the Madras Presidency from the whole of Eastern India, and from Northern India also, if the Bilaspur-Katni-Etawah project should be carried out.
- (c) The line is also a grain exporting line to both ports, from a point, which may be termed the "traffic-shed," somewhere in

† The quotations are from Lord Lytton's speech in the Legislative Council on 27th December 1877, and minute dated 12th March 1878, appended to the Financial Statement for 1878-79. We use them as the latest and clearest declarations on the subject.

the Chhattisgarh country. This point will vary according to the speed, cost of transport and facilities offered in each direction. Bombay will probably retain much of the area it now commands; Calcutta will also draw largely on the eastern districts of the Central Provinces, as it once used to do, and will profit by the vast increase of cultivation which may be confidently expected in them. A break of gauge, we may remark, is especially prejudicial to the wheat trade, because not only is the margin of profit on this article, in competition with America and other countries, so narrow that an addition of even about four annas per ton is undesirable, but also the uncertainty as to when a consignment once started will, after breaking bulk, reach the port of embarkation, deranges the shipping arrangements, and often leads to loss on freight which has been taken up. To the Bombay grain trade, we have ascertained that the break at Nagpur is already a source of uncertainty, delay and expense, which demands early removal; on the Calcutta trade, interposition of a similar obstacle at Sitarampur would be unjustifiable. But besides this, the Nagpur-Nandgaon metre gauge line already finds difficulty in disposing of the traffic crowding to it, and we consider that the adoption of this gauge throughout would, in view of the prospects of the grain trade, especially in wheat and oilseeds, be an improvident act, certain shortly to demand a costly remedy.

- (d) Moreover, the line is a trunk line, destined inevitably, and we hope at no distant date, to receive four important connections, *viz.*, (1) Raipur to Vizagapatam, 372 miles; (2) Bilaspur, through the Rewah coal fields, to Saugor and Etawah, 352 miles; (3) Chyebassa (or other suitable point) to Cuttack and Pooree, 236 miles; and Dugni (or other suitable point) to Chota Nagpur, Mogulserai and Gya, 388 miles. Whether these connections be on the broad gauge or on the metre, the traffic to and from them will be a material addition to the traffic proper to the main line, increasing the necessity for broad gauge on the latter.
- (e) Again, the line will be, as we shall presently show, essentially a famine-relief line. Whether the occasion be (as nearly occurred in 1868-69) a famine in the Central Provinces, or (as will ordinarily happen) a demand on the proverbial "granary of India" for relief to Behar, to Bundelkhund and the North-West, or to Western and Southern India, the broad gauge carrying power and the absence of break will be essential to an effective response.
- (f) Moreover, the line will be a mineral line, carrying supplies of coal for other railways, especially the first and third of those named in clause (c) above, and will thus get another special addition to the ordinary traffic on it, affording a further reason for adopting the broad gauge.
- (g) The mercantile community in general are decidedly in favor of the broad gauge throughout. In May 1878, the Bombay Chamber of Commerce memorialised us, strongly deprecating the adoption of the metre gauge from Nagpur eastwards. The Bengal Chamber of Commerce take the same view, and we have lately received from them three communications* remonstrating against extensions on this gauge from Dongargarh. In this they are fully supported by the Lieutenant-Governor of Bengal.
- (h) Finally, both the firms which have made proposals for forming a Company to construct the line, Messrs. Hoare, Miller and Co. and Messrs. Burn and Co., make the adoption of the broad gauge, and the conversion of the metre gauge section from Nagpur to Nandgaon, a *sine quâ non*. They may be presumed to know what is best in their own interests.

* 29th November 1881.
9th March 1882.
2nd May 1883.

We have no hesitation in holding that the above reasons are special, not such as might be applied to any line of railway, and that they justify, consistently with the present accepted policy, the adoption of the broad gauge in this case. We may add that there need be the less hesitation as to the conversion, seeing that the cost will be borne by the Company, and the material and stock returned to us can be readily utilised on other State Railways.

Cost.

21. *Sitarampur to Bilaspur.*—The results of the location survey made during the past season are now reported (enclosure No. 1) as 365½ miles, estimated by Mr. Parker to cost, including land, ₹2,98,96,970, or ₹81,853 per mile. In this estimate, it is possible that some rates may prove to be rather low, but materials and labour are probably cheap throughout a great part of the country traversed. Upon this subject generally we concur with our Director General of Railways (Colonel Stanton) whose remarks, recorded in 1881 with reference to this line, are quoted marginally. On the whole, and assuming that a private company will look actively after their own interests in every particular, we think that an estimate of ₹82,000 per mile should be ample to cover all contingencies. The total for this section will thus become ₹2,99,70,000, or 300 lakhs in round numbers.

	Miles.	Total.	Rate per mile.
		₹	₹
Nandgaon to Raipur.	43	24,30,000	56,512
Raipur to Bilaspur.	71	45,89,138	64,847
	114	70,19,138	61,571

22. *Bilaspur via Raipur, to Nandgaon.*—This section has been completely surveyed and estimated for on the metre gauge, with the result shown in the margin. Considering the easy and well ascertained nature of the country, we think it will be sufficient to allow ₹81,500 per mile for this section, or 93 lakhs of rupees in round numbers. If the line should turn eastward a little south of Bilaspur (*Supra*, paragraph 7) this amount may not be reached.

23. *Nandgaon to Nagpur. Purchase and Conversion.*—The proposal of Messrs. Hoare, Miller and Co., in respect of this * is that the Company are to purchase the Nagpur and Chhattisgarh Railway “at the cost price of that line, *plus* the net simple interest on cost calculated up to the date of transfer, and as calculated by Government.” It had been understood in the course of the negotiations, though not clearly expressed in the sentence quoted,† that the “cost price” means the total amount spent by Government with the exception of the value of the metre gauge permanent-way and rolling stock, which will be returned to Government by the Company as the conversion proceeds.

24. We consider that the best method of carrying this arrangement into practice will be for the Company to take over the existing line, as it stands, immediately on the execution of their contract, at the price booked as its cost *plus* the balance of the interest account on the date of transfer *minus* a suitable allowance for depreciation of way and stock up to date. The Company would then work the line, the earnings of which would be a set off to interest on their capital during the construction of their whole undertaking, would convey over it to Nandgaon and intermediate stations a supply of broad gauge materials wherewith to effect the conversion and push on the extension, and would ultimately effect the conversion, from one or other ends, at their own convenience and without interruption of traffic. The metre gauge materials and

* Enclosure No. 3 to our despatch No. 126A., Finance and Commerce, dated 8th May 1883.

† As it is in clause IX of Messrs. Burn and Company's proposal, forwarded with our despatch No. 148R., dated 7th November 1882.

stock, as released, would be made over to the officers of Government at Nagpur or wherever it might be found convenient to send them, with reference to their ultimate destination. The materials and stock so received should then be valued with reference to their condition at the date of delivery, their destination, and the market price of the day, and the amount thus determined should be adjusted against the total cost price at which the line was originally handed over.

25. It is obviously impossible to frame beforehand anything more than	
	R
Cost of existing line, 148 miles, on 30th June 1883, including rolling stock under supply, but without allowance for present Kanhan bridge, not to be utilised . . .	96,75,000
Balance of interest account up to 30th June 1883*	2,07,000
Estimated gross cost of conversion, at Rs48,000 per mile . . .	71,00,000
Total gross cost	1,69,82,000
Deduct—	
a).—Allowance for depreciation of way and stock up to 30th June 1884 . . .	6,50,000
b).—Approximate value of materials to be transferred to Government on June 30th, 1885*	27,00,000
	33,50,000
Total net cost of converted line	1,36,32,000

notives and rolling stock, will of course be required. The condition of the metre gauge material on its return to Government will depend on the time it may have been in use, and the treatment it may receive, and its value at the time of transfer can be only guessed at. But we enclose, as the nearest approximation practicable, a memorandum prepared in our Public Works Department by the Officiating Director General, and the Consulting Engineer for State Railways, which shows a result of Rs1,36,32,000, summarised in the margin, as the cost of the converted line. The value of metre gauge materials to be returned to Government has been roughly calculated on the basis of existing market prices, with allowance for depreciation, cost of dismantlement, and cost of carriage to Bhosawal, which has been assumed as the point to which the material might have to be conveyed for distribution to other metre gauge lines.

The amount recovered by the State under these arrangements, which would be about 63 lakhs of rupees, would be used in reduction of debt, or in augmentation of the cash balances and thereby avoiding borrowing, as contemplated in the "Remarks" regarding this project in Schedule A of our Despatch No. 16, Finance and Commerce, of the 23rd January last, where this recovery is estimated at 50 lakhs.

	Miles.	Estimate.
	R	R
Sitarampur to Bilaspur	365½	3,00,00,000
Bilaspur to Nandgaon .	114	93,00,000
Nandgaon to Nagpur .	148	1,36,32,000
TOTAL	627½	5,29,32,000

more than Messrs. Hoare, Miller and

26. The total cost of the Railway from Sitarampur to Nagpur on the broad gauge would thus be as stated in the margin. This sum is larger, by about 30 lakhs, than that telegraphed to Your Lordship on the 6th ultimo, chiefly in consequence of more detailed information, and greater margin allowed, with respect to the cost of conversion. But it is little we ourselves originally anticipated.†

27. The information upon record regarding the produce, the capability for

† See paragraph 8 of our Despatch No. 126A., Finance and Commerce, dated 8th May 1882, and enclosure No. 2.

* This would be reduced —
On June 30th, 1886, to Rs25,50,000.
" " 1887, to Rs24,00,000.

development, and the wants as to communications of the Chhattisgarh country

Mr. Temple, 6th October 1863.
Mr. Morris, 21st May 1870.
Mr. Armstrong, December 1871.
Mr. Morris, 27th September 1872.
Mr. Morris, 6th March 1874.
Mr. Chisholm, 24th July 1877.

is exceptionally abundant. The documents specified marginally are those which contain special references to traffic, and have all, we believe, been laid successively before Your Lordship. They all illustrate

the fact of a pressing need of railway communication penetrating into the heart of the Eastern Districts of the Central Provinces, and the certainty that such communication would be remunerative. They eventually led to the sanction and commencement of the Nagpur-Dongargarh Railway in 1878.

28. When submitting Messrs. Hoare, Miller and Co.'s proposals to Your Lordship on 8th May 1882, we considered these facts to be so well established and well known, and to be so strongly confirmed by the voluminous enclosures to our Despatch No. 121 of 22nd October 1881, as also by the rapid growth of the wheat trade and the readiness of private enterprise to embark on the construction of the railway with very limited support from Government, that it was superfluous to offer more than the general opinion in favor of the remunerativeness of the enterprise at an early date which is contained in paragraph 9 of our Despatch No. 126A. In reply, however, to

* Letter from Chief Commissioner, Central Provinces.

Note drawn up in Revenue and Agricultural Department.

Your Lordship's subsequent enquiries, we furnished the documents* forming the fourth enclosure to our Despatch No. 113R. of 9th September 1882. The first

and second enclosures likewise abound in interesting and valuable information as to traffic and produce furnished by the local and survey officers, which it was impossible to summarise. Further information being still desired, we now beg to forward reports by Mr. H. H. Risley, Officiating Deputy Commissioner of Manbhoom (who was placed on special duty, at the suggestion of the Lieutenant-Governor of Bengal) on the trade statistics, &c., of that part of Bengal affected by the proposed railway, and by Mr. F. B. Fuller, the Officiating Director of Agriculture in the Central Provinces, on the trade resources of Chhattisgarh.

29. Mr. Risley, a very careful officer who has given much attention to trade questions, and has already made useful contributions to our knowledge of Chota Nagpur, carries his description down to the Hengir coal field, on the confines of Sambalpur. He shows that owing to the geographical formation of the country, the main currents of export trade follow the natural slope from west and north-west towards the east, and converge gradually on the East Indian Railway between Burrakar and Burdwan. The imports return by the same routes. Consequently, a railway running round from Chyebassa to Sitarampur not only has no water communication to fear, but, owing to the peculiar conformation of the country, both commands the traffic of its own strip and cuts off, so to speak, the traffic of an enormous tract of country to the west, which can only find an outlet by flowing towards the new line. "It crosses, as it were, the mouth of an estuary and intercepts its entire contents." The declared imports and exports of certain specified articles Mr. Risley states to amount to 428,300 and 1,022,000 maunds respectively. But after explaining that no one who possesses a fair general knowledge of Chota Nagpur would accept these figures as approaching the truth, he adds "no attempt has been made here to anticipate the enormous extension of the import trade which will

† Possessing an area of 43,026 square miles and a population of 4,903,991.

follow upon the opening of the railway.

At present Chota Nagpur† is in a primitive stage of economic development * * * no attempt has been made to estimate the quantity of coal, dyewoods, iron, limestone and tassar cocoons which the railway may be called upon to carry. The possible development of rival coalfields, the success of the Barrakur Ironworks, the demand which may spring up for indigenous dyes, and the prospects of tassar silk in the European market, all these causes are too obscure and too complicated for it to be possible to anticipate their results and express them in a statistical form. It can only be said that these factors may have an important influence

on the future of the railway, and that some of them stand a fair chance of coming into play on a large scale within the next ten years."

30. Mr. Fuller, whose statistical experience as Assistant Director of Agriculture in the North-Western Provinces is well known, presents coloured maps indicating the density of the population, and the proportion of soils suited for wheat and oil-seeds, together with a sketch of the routes. Owing to a large portion of Chhattisgarh consisting of zemindaries and chiefships, these facts as to population and soil constitute a more reliable indication than estimates of produce. It may, however, be mentioned that in the *Khalsa* portion only of the Raipur, Bilaspur and Sambalpur Districts the total cropped area is 3,804,147 acres, while the black soil suitable for wheat, but still uncultivated is 1,007,832 acres. The annual demand for salt is put at 450,000 maunds, and for European piece goods and metals at 120,000 and 80,000 maunds respectively. Confidence is expressed that by the removal of the difficulty of communication "a large export would be at once created. * * * * * In this export trade wheat, rice and oil-seeds would form the staple commodities, but a considerable accession of traffic may be expected from forest produce, especially lac." In illustration of the effect of adequate railway facilities, Mr. Fuller states that the railway took comparatively little when open only to Amgaon, but the extension to Dongargarh raised the exports to 754,655 maunds, and that to Nandgaon to 1,492,653. We may supplement his account by the following extract from a communication lately received from the Commissioner of Chhattisgarh :—

"The Nagpur and Chhattisgarh metre gauge line was opened in February with a great flourish of trumpets to Raj Nandgaon. In twenty-one weeks that line has carried 5,117 tons of goods, mostly grain. Carts have been travelling into Nandgaon carrying grain at the rate of 1,000 to 1,200 per day. And if the line was only open to this, I believe that Raipur would become an immense grain depôt, where sufficient would be stored to keep the line occupied the greater part of the rains. As it is, there are immense stocks of grain here. The heavy traffic over the eastern road (*i. e.*, the 43 miles between Raipur and Nandgaon) has cut the road to pieces, and the two rivers make cartage so difficult, that the traffic is now stopping; but the people are very anxious about the railway. This is not surprising, when you look at the rise in cart hire: formerly Rs. 3 covered the cartage of one cart = 12 to 15 maunds from this to Nandgaon; this year the rates have risen from Rs. 12 to Rs. 16 per cart for the 43 miles. This high rate swallows up nearly the whole of the profits, so that much of the later grain dealings have been carried on at a loss. * * * * *

"There is no doubt that Chhattisgarh is a perfect granary, with considerable opportunity for expansion. The dense population is all crowded together into a comparatively small area, but there is room and to spare all round for all the superfluous population that exists, and good land in abundance waiting for people to cultivate it. They will be forced to take to migration so these cultivable wastes when the railway drives up prices. At present a man earns enough in three days to keep him for seven, so he idles away four; and he will have no inducement to work until he sees that he can get a fair price for the grain raised. Now the prices that reach the cultivators can barely cover the cost of cultivation. * * * * * The whole country is covered with speculators, agents from Bombay firms, &c. Some of them have made a good thing of it, but the rise in cart hire has reduced the profits to a very low ebb."

31. These accounts by Messrs. Risley and Fuller, together with the other information previously supplied, the and memorandum by Mr. Jones, show that the railway will have an ample and increasing traffic arising from stations throughout the greater part of its length. There is, however, a portion of about 80 miles near the centre of the line from which much cannot be expected locally, beyond the *sâl* timber which the vast adjacent forests supply. This section will, however, be relieved from unremunerativeness by the through traffic in grain and oilseeds from Calcutta which the eastern part of Chhattisgarh and Sambalpur will afford. We have already alluded [paragraph 20 (*b*)] to the point, or "traffic shed," whence the produce will flow eastward, and to the difficulty of predicting whereabouts it will lie. It may, however, be expected to be ordinarily quite as far west as Bilaspur, and thus to secure a very large through traffic for the section to which we allude. The Hengir coal also will travel eastward over this section until it meets that produced from the Raniganj collieries.

32. Hitherto we have dealt only with the traffic normal to the localities traversed by the line; but it must not be overlooked that the line may calculate also on receiving, to a greater or less extent, according to circumstances, (1) an additional normal traffic from the connections or subsidiary lines referred to above [paragraph 20 (b) and (d)], and (2) an abnormal grain traffic in times of scarcity or famine, which are unhappily, too frequent in one part of India or another.

33. In concluding this branch of our subject we have only to remark that we consider a mass of concurrent testimony, such as that which has been brought forward, to be far more to be depended upon than any statistical tables compiled from returns of present traffic passing particular points, because a large portion of traffic everywhere avoids such points, and existing traffic is no sufficient criterion for railway enterprise in any country known to be greatly improvable.

"If the cost of carrying a ton of goods is reduced, by the substitution of railway conveyance for carts, from three annas per mile to half an anna, it is certain," urged Lord

* No. 29R., 3rd February.

Northbrook's Government in 1876,* "that when,

as in this case, the produce and the demand exist, the number of tons carried will increase in some proportion to the reduction in the cost of conveyance. The increase of traffic from the lowering of the rate for carriage is a simple and certain consequence of the ordinary laws of trade, and should be calculated on in any estimate of railway earnings."

Remunerativeness.

34. On this point we would in the first instance invite attention to the fact that a long series of local authorities have for twelve years past insisted on the remunerativeness of a line reaching the heart of the Central Provinces, have supported their opinions by statistics which were admittedly within the truth, and have been willing to incur the risk of the undertaking out of the limited resources provincially assigned to them. The net return they anticipated was not less than from 4 to 5½ per cent. The Governments of Lord Lawrence, Lord Mayo and Lord Northbrook have in succession favored such a line, and the later while anticipating "certainly 2½ to 3 per cent. at the outset" reckoned on an increase of traffic "seeing that the country to be opened out is rich in produce, which has hitherto been locked up for want of means of communication." Experience is already verifying these anticipations, the first section alone earned 2.15 per cent. in 1882, and the extended line to Nandgaon compares as per margin, for the first three months of the current official year, with some of the principal and well established lines in India.

	Receipts per mile per week.
Oudh and Rohit land	233
Northern Bengal	169
Rajputana-Malwa	239
Indus Valley and Kandahar . . .	247
Nagpur-Chhattisgarh	244

35. Regarding the larger project now under consideration, we can fairly say that it is supported by statistics not less complete, and traverses tracts of country not less promising or less distressed for want of an outlet, than those just referred to. It possesses, moreover, two singular advantages;—in working, that of good coal procurable, actually at one terminus, within easy distance of the other, and also at a convenient point on the line between the two; in construction, that of cheap labour, of abundant timber, and, if your Lordship should give effect to our recommendations regarding the Bengal Ironworks, of permanent way and other iron and steel requirements manufacturable close to Sitarampur. Mr. Parker has calculated the net profits at 4½ per cent., irrespective of these special advantages, while the Lieutenant-Governor of Bengal thinks that this is probably an underestimate, and that "the prospects of the undertaking are most hopeful." The opinion of mercantile men, some of them well acquainted with India and the localities affected, may be gathered from the fact that they have been ready to embark in the undertaking with, at most, a guarantee of 4 per cent. for a period only sufficient to put it in working order throughout.

Report, dated 10th June 1882, paras. 79 to 99.
Bengal letters No. 2519R. of 31st July 1882,
and No. 2948R. of 28th July 1883.

36. If the proposal were to construct the Sitarampur-Nandgaon section as a broad-gauge State Railway, and to convert to that gauge the open continuation to Nagpur, we should have no hesitation in recommending the work as technically "Productive," that is to say, as one which "may fairly be estimated to pay, within a maximum limit of five years from the date of the line being open for traffic, 4 per cent. on the capital invested."* Much more, then,

* Secretary of State's Despatch No. 1 Financial, dated 6th January 1881.

are we able to support an application from reliable private individuals for the limited aid in starting the undertaking which alone they ask, and deem to be sufficient.

37. As to the exact nature of this aid, we have already, in our despatch No. 29 of 23rd January last, recommended the adoption of the "Bengal Central" terms and the debit to the head of *31. Famine Relief and Insurance* of whatever interest charge may be incurred. Regarding this we may remark

	Miles.	Cost. £
A. Existing line	148	1,000,000
Completion	479½	3,040,000
	627	
Total to complete		4,000,000
B. Proposed project	627½	5,293,200
Less recovered		270,000
Net amount to be guaranteed		5,023,000

that the liability of Government will be for interest on an amount only one-fourth more than would be required to complete the existing project, but with the corresponding advantages that (1) a broad-gauge line will be obtained instead of a narrow one; (2) the liability will terminate in a few years instead of being for a permanent increase to the debt of India;

(3) a certain share of profits in the future, and certain rights of purchase will be secured.

Circumstances having somewhat changed in the money market and otherwise, since January last, we may state that we see no objection to such reasonable modification of the "Bengal Central" terms, in harmony with their general principle of a strictly limited guarantee, as may suffice to secure the early launching of the undertaking. For instance, we should see no harm, but rather, some advantages, in the debit of interest during construction to capital, and the commencement of the guarantee agreed on from the date of the opening of the line. We telegraphed to your Lordship in this sense on the 10th ultimo in the case of the Bhopal-Gwalior-Cawnpur Railway.

38. So far, we have treated the question as one of direct liability, return and profit. But the indirect advantages of railway extension are too important to be ignored. One of your Lordship's predecessors addressed the Government of India on this subject as follows:—

"Though equal profits may not be obtainable from future lines, this does not constitute an unanswerable objection to further extension. For lines which in themselves are perhaps unremunerative may be of the highest political and social, and indirectly, even of great commercial value. Thus a line which connects important strategical points may produce an economy of military expenditure far more than sufficient to cover any loss which may arise from the working of the line itself. Again, a line which facilitates the carriage of food in districts where harvests are uncertain may be of the highest value, though not directly remunerative. The same may be said of lines which facilitate the intercourse of remote and backward districts with the more advanced, or which enable the people to come more easily and frequently to markets, to courts of justice, and so fourth, or enable Magistrates to visit their districts with greater convenience. These are only a few of the many indirect advantages attending the extension of railways, which justify us in laying down the principle that direct commercial success is not to be regarded as the one single test of their value." (Despatch No. 3, dated 16th January 1868).

These remarks have special applicability to the present case.

39. The first and perhaps one of the most pecuniarily valuable of the indirect advantages of this railway, is the power it will confer of increasing the land revenue of the Raipur and Bilaspur districts at their approaching re-settlement in 1885-88. This point has been repeatedly mentioned in

Despatch No. 68R., of 18th April 1872.
" No. 29R., of 30th February 1876.

the correspondence to which we have alluded in paragraph 29, and has been twice brought specially to the notice of

the Secretary of State. Colonel Keatinge estimated at 2½ lakhs of rupees the increase of assessment attributable to the new railway facilities alone. Supposing that it amounted to 1½ annas per acre, the annual proceeds would be about Rs. 2,75,000 or Rs. 3,00,000 at once, and probably double this twenty years hence, on the expiry of the revised settlement, owing to increase of cultivation and rise in prices. This would be a material and permanent set-off to any temporary liability the Government might now incur in starting the line. We would invite special attention to the remarks upon it of the present Chief Commissioner of the Central Provinces, Mr. Jones, in the memorandum which is appended to this Despatch, adding that, unless the work be commenced without delay, it will be impossible to enhance the land revenue on the ground of facilities which do not exist.

40. Another indirect gain, which is certain to be large, is the increase of receipts, in which the Government will share, from the additional traffic which this railway will throw upon the Great Indian Peninsula Railway at one end and the East Indian Railway at the other.

41. Another obvious, though less easily calculable, indirect advantage is the relief to exchange which must result from every increase to the exports of India. Considering that the tract commanded by the proposed line is one which produces in vast quantities, and is capable, with better communications, of producing far more largely still, the two commodities, grain and oil-seeds, which are in demand in Europe, we think this advantage is too important to be ignored.

42. But equal to, or it may be far greater than, either of the indirect advantages just named, in its pecuniary value to the State, and fraught also with influence on human life, is the protective effect of this line in time of scarcity or famine. Chhattisgarh is a region which has now been ascertained meteorologically to be favored with a rainfall more uniform, constant and sufficient, from year to year, than any other in India. It is thus, while almost exempt, except on very rare occasions, from risk of famine, able to come with grain supplies to the aid of other provinces where scarcity or famine prevails. But railway communication is indispensable to the use of this gift with promptitude and sufficiency. The risk which the Province itself ran during the dearth of 1869, for want of such communication, is described in Mr. Morris's minute of 6th March 1874. The great additional help it might have afforded, had such existed during the famine of 1876-78 in Southern and Western India, is obvious, and was recognised by Sir John Strachey in the latter year, in the following remarks on the Nagpur-Chhattisgarh Railway :—

"It is of urgent necessity to supply means for its construction at the earliest possible moment, as it will be specially useful as a means of bringing food grains down to the main line of railway in the Deccan, and thus be of great value in time of scarcity, as has been very truly remarked by Sir A. Clarke."

Supposing the line now under consideration to be constructed, the whole resources (vastly increased) of the tract referred to will be available at either end for famine relief of Behar and Bengal on the one hand, and of Western and Southern India on the other. Moreover, the addition hereafter of a branch to Cuttack will render impossible in Orissa a disaster such as that of 1869, while the connection of Bilaspur with Bundelkhand and Northern India will be a most important safeguard against famine in that quarter.

Vide paragraph 20 (c) of this despatch and despatch No. 83 R., dated 2nd June 1883.

In fact, so important do we consider the protective aspect of this project, that we should have been prepared to recommend it to Your Lordship as a Protective work, had any necessity existed for doing so.

43. In conclusion, we trust that we have now supplied all the information which Your Lordship desired to possess, and that it may be

held to warrant an arrangement with Messrs. Hoare, Miller & Co., at the earliest practicable date.

Railway Despatch to the Secretary of State for India, No. 17 of the 29th January 1884.

In our despatch No. 132 Railway, dated the 18th August last, we submitted what appeared to us to be all the information regarding the projected Nagpur-Bengal Railway which your Lordship had called for, and, after urging the importance of the question from various points of view, we repeated the hope, more than once previously expressed, that your Lordship would come to arrangements at the earliest practicable date with Messrs. Hoare, Miller and Company for the construction of the line.

2. It is with much regret that we have received your Lordship's despatch No. 133 of the 31st October last, which informs us that pending the result of the enquiries of a Select Committee of the House of Commons, your Lordship is unwilling to enter upon arrangements with Messrs. Hoare, Miller and Company on the basis proposed by them.

3. Considering that this railway, in connection with two others,* is the centre of the main system of protection of all the Provinces of India affected by famine, and that the proposals in our Fi-

- * 1. Bhopal-Gwalior-Cawnpur.
- 2. Bilaspur-Etawah.

nancial despatch No. 29 of 23rd January 1883, for constructing the three by private enterprise, with the aid of funds, which are now, subject to your Lordship's sanction, available, stood entirely by themselves, we had hoped that your Lordship would have dealt with them, as in the case of the Western Deccan Railway concession in November last, separately and irrespective of the general question of utilising private agency for railway construction in India.

The fact that these railways are of a highly protective character has we trust, been demonstrated to your Lordship's satisfaction in paras. 14 to 17 of our despatch No. 269 Finance and Commerce of 24th September last, and in para. 13 of our further despatch of this date, on Railway policy, to which the opinions of the Members of the Famine Commission now in India are appended.

4. While abstaining from further remonstrance against the postponement of a decision as to the financial basis on which this project is to be carried out, and the agency to be employed until the Select Committee of the House of Commons have reported, we feel it our duty to submit to your Lordship proposals by which the interval which must elapse before these points can be decided may be used to the best advantage.

5. In the first place, we would point out that a postponement of decision on the two points above mentioned need be no bar to the present consideration of the questions of route, gauge, cost, traffic, remunerativeness and indirect advantages, and to the formal sanction of the project as such.

We learn from the 4th para. of the despatch under reply that your Lordship considers the information furnished to be "most valuable," and infer that it is considered sufficient for the purpose. We are now able to supplement it in a few particulars, which we proceed to mention.

6. *Route.*—We have received your Lordship's despatch No. 136 of 31st October last, forwarding a request from Mr. C. Magniac, M.P., that a sketch survey may be made of the Howrah-Dugni route, on the ground that present information is so insufficient that it is impossible to make any reliable comparison between it and the Sitarampur route. Mr. Magniac was, we presume, unaware that Mr. Spring, one of our Engineers in the Railway Branch of the Public Works Department, had recently made the very careful reconnaissance

of the section from Dugni to Midnapur, which we forwarded with our despatch of 4th August last, and that, as regards the Midnapur-Howrah section, the whole country from Burdwan downwards has been, during the last 25 years, so thoroughly surveyed, contoured and practically studied, in the course of the measures for minimising the loss by floods of the Damuda, Darakesur, Rupnarayan, Silhai and Kossye rivers, that no new surveys could add anything material to our present knowledge of the subject.

7. Our Hon'ble Colleague in charge of the Public Works Department, Mr. Hope, has recently visited Midnapur accompanied by the Director General of Railways (Colonel Stanton) and the Superintending Engineer, South-Western Circle (Mr. Vertannes), for the purpose of re-investigating the whole question.

As regards the engineering question, it may be explained that the course adopted with regard to the floods has been to protect certain portions of the country by means of allowing the "spill" of the great rivers to go freely over others. The area thus inundated by the Damuda river, over its right bank, extends from above Burdwan down to an embankment near the Oolooberia canal. It is about 63 miles in length and from 4 to 14 miles in width, and it is frequently submerged to depths varying from 8 to 18 feet. The portion of this across which it is understood, that it is proposed to take the railway is 8 miles wide. A somewhat less impracticable line is that discussed and estimated for in Mr. Spring's report and Mr. Levinge's note accompanying our despatch, which passes between the canal and embankment above referred to across a neck of land 4 miles wide between the Rupnarayan and Damooda. But it also is open to very serious risks and objections.

As regards traffic, it may be explained—

1st.—That it is an error to suppose that there is any considerable traffic flowing into Midnapur from the west. This was ascertained by our Hon'ble Colleague's personal enquiries of the Midnapur traders, assembled with the assistance of the Collector, and is corroborated by scrutiny of the canal returns, which show that out of an average total annual export and import traffic of 150,000 tons, only 12,000 tons (*viz.*, 8,000 export eastward and 4,000 import) belong to Midnapur itself.

2nd.—That of the canal traffic itself, the greater part is received on the two reaches nearest Calcutta, and consists to a considerable degree of boats passing *through it* from marts on one side to marts on the other, to which traffic the railway would be no assistance whatever.

3rd.—That the needs of the Midnapur district are now fully provided for by the existing combination of good roads, rivers and canal, and would be comparatively little benefited by a railway. This sufficiency of provision was corroborated by the Agent of Messrs. Watson and Company, who own large zemindaries in this vicinity. The canal service is by no means indifferent, as has been asserted, and it is about to be greatly improved by the Calcutta Steam Navigation Company, who will place on it within a month's time four new steamers, which they have constructed specially for the purpose.

In short, there can be no doubt that the line from Dugni to Sitarampur would open out more country, and be of much greater use to commerce, than that to Howrah.

8. *Gauge.*—On this subject we may supplement our previous remarks in favor of the broad gauge by reference to paras. 8 and 9 of our despatch

From Government of Bengal, No. 4513 R., dated 27th December, 1883 para. 5.

No. 9 Ry., dated the 22nd instant, and to the letter quoted marginally, which we forward herewith. The Bombay Government have likewise addressed to your Lordship a despatch, No. 23 of the 12th ultimo, strongly supporting a letter from the Bombay Government in the same sense.

We would also bring to notice the fact that the question of the necessity of doubling the Great Indian Peninsula Railway from Bhosawul in the direction of Nagpur is now under serious consideration, and that the measure certainly cannot be long deferred.

9. *Traffic*.—We append a statement showing the exports from Chhattisgarh during the first six months of 1883, which is the result of special registration by Mr. Fuller, the Director of Agriculture in the Central Provinces.

It has also been brought to our notice that the gunny bags for the wheat exported from Chhattisgarh are at present sent round from Calcutta to Bombay by sea and thence go by rail into the interior. On the opening of the proposed railway they would of course be sent direct, as there would be a saving of from ₹ 16 to ₹ 17 per ton in freight alone, irrespective of marine insurance and landing and despatching charges. On this point we enclose an interesting memorandum by Mr. A. P. Ralli of the well-known firm of Ralli Brothers. The cheapening of the through transit would, moreover, give a stimulus to the mill industry in the neighbourhood of Calcutta, as the article is used for various purposes in Western India.

We have obtained further information regarding the forests in the vicinity of the line of railway. These may be put in three groups—

1st.—*Singbhoom and Lohardugga*.—Here there are about 200 square miles of reserved forest of sāl alone, and further reservations are contemplated. There are also open or district forests, and private forests. These would furnish two millions of cubic feet in 3 or 4 years, to begin with, and a large regular supply probably not less than 6,000 tons annually when proper facilities for getting the timber out have been provided. At present the whole of Bengal is supplied from Nepal with sāl timber, which is very largely used. But the Nepal forests are believed to be rapidly becoming exhausted and the price is rising. The Inspector General of Forests (Dr. Schlich) calculates that the sāl from the Sarunda and other forests in Singbhoom can be put into

	Teak.			Nepal sāl.			Singbhoom sāl.		
	₹	a.	p.	₹	a.	p.	₹	a.	p.
Calcutta	2	0	0	2	3	0	1	7	3
Mokameh	2	6	6	2	3	0	1	7	1
Mogul Serai	2	10	4	2	6	0	1	10	10
Allahabad	2	12	2	2	8	0	1	13	0
Dacca	2	4	0	2	6	0	1	12	9

railway trucks at the adjacent stations and laid down at Sitarampur at ₹1-4 per cubic foot. Its corresponding prices at other principal markets within easy reach and the present prices of Nepal sāl and teak at the same places, are shown in the margin. The trade will be profitable at the outset and must develop largely as the Nepal supplies fall off.

2nd.—*Tributary States*.—The forests in these are known to be very extensive, but no details are available. The produce will, of course, have a longer carriage to bear in order to compete with forests more favorably situated.

3rd.—*Chhattisgarh*.—The forests in this group are estimated to comprise 2,000 square miles of good high timber, the bulk of which is sāl. About one-fifth of the area belongs to Government, and the rest to feudatory chiefs and zemindars. Dr. Schlich estimates that they could yield not less than 10,000 tons of sāl timber annually, without reducing their permanent productiveness. With railway outlets from Bilaspur to Etawa, and to the westward, this timber would, no doubt, find a large market.

From the above it will be seen that the sāl forests in the tracts referred to will, with the aid of the proposed railway, be able to supply the requirements of the whole of India, subject merely to the limitation caused by cost of carriage. The forests will likewise afford vast supplies of shell-lac, lac-dye and myrabolams, and may be expected to stimulate the trade in these articles.

The Hengir coal-fields are at present being carefully re-examined by Dr. King, Deputy Superintendent of the Geological Survey, specially along the line of railway, and the Government of the Central Provinces will make borings or shafts at any spot he may select for the purpose of proving the

coal. Its general quality is of course already well-known, having been more than once professionally reported on.

10. *Remunerativeness*.—On this subject we think it as well to point out that, although we have strongly advocated this line on account of its famine protective urgency, we have always considered it likely to be “productive” in a technical sense also (see para. 35 of despatch No. 29 of January 23rd, 1883, *et seq.*). If the indirect returns to be received from it, which are explained in paras. 38 to 42 of our despatch of 18th August last, be also taken into account, it will be highly remunerative. It is thus both a “famine” and a “remunerative” line, but the former quality need be no obstacle to its being constructed by a private Company, nor the latter to its being treated as of famine urgency, irrespective of considerations of general policy.

11. The preceding five paragraphs have related to our first proposal, that formal sanction should be given to the project, as such, leaving the question of financial basis and agency to await the report of the Select Committee of the House of Commons.

12. Our second proposal is, that as soon as sanction has thus been accorded we should be permitted to commence operations so far as to take up the land throughout, and make the earthwork wherever labor is readily obtainable. By these means, and especially the taking up of the land, which is usually a tedious process, several months, or a whole season, may be saved towards the ultimate opening of the line. The necessary funds, which would not be large, we should be prepared to advance from the Productive Public Works grant, subject to repayment, as in the case of the South Mahratta Railways, in the event of the ultimate decision being to give over the project to a Company.

Independently of the gain in time towards opening, two other reasons for the course we recommend may be adduced. *First*, the re-settlement of the land revenue of the Bilaspur and Raipur districts will commence next year, and unless the railway be in progress, it will be impossible, as we have already pointed out in para. 39 of our despatch of 18th August 1883, to provide for the enhancements which may fairly be attributed to railway facilities; *secondly*, the scarcity to which reference is made in the third paragraph of the letters from the Government of Bengal, forwarded herewith, prevails with some severity in the tract between Dugni and Sitarampore, and the prompt commencement of earthwork on this section would be a very welcome relief.

13. In conclusion, we trust that our present *ad interim* proposals may meet with your Lordship's approval, and that we may be informed accordingly by telegraph.

No. 4513 R., dated 27th December 1883.

From—H. C. Levinge, Esq., Secy. to the Govt. of Bengal, P. W. Dept.,

To—The Secretary to the Government of India, P. W. Dept.

I am directed to acknowledge the receipt of your letters marginally noted,

No. 735 R.C. of the 18th August 1883, forwarding copy of a Despatch to the Secretary of State.

No. 1090 R.C. of the 15th December 1883, enclosing copy of the Secretary of State's Despatch No. 133 of the 31st October 1883.

No. 1099 R.C. of the 18th instant, with copy of a letter from the Government of Bombay to the Secretary of State.

on the subject of the Bengal-Nagpur Railway, and in reply to communicate the following observations:—

With the conclusions arrived at in the Despatch to the Secretary of State, No. 132 of the 18th August, the Lieutenant-Governor fully concurs, and

he notices with regret the decision of the Secretary of State to postpone the construction of this most important railway regarding which the fullest information has been already collected. The line has been carefully laid out on the ground throughout its entire length, the detailed drawings and estimates have been prepared, all statistical facts have been ascertained, the advantages over alternative lines as well as its remunerative prospects have been considered and discussed, and the mercantile community throughout the country are, for reasons

extensions. In this case, moreover, private enterprise has come forward and is ready to undertake the construction of the line. It seems to Mr. Rivers Thompson altogether inexpedient therefore to defer taking action, until a Select Committee of the House of Commons to be appointed next sessions, shall have considered the future policy of the Government regarding Indian Railways; because there is almost an absolute certainty, under such a procedure, of indefinitely delaying the opening up by a main line of railway, of a portion of the country which has in this respect been already too long neglected.

Every consideration tends to an early practical decision of the question. Amongst the most important is the future system of railway communication to the Province of Orissa, which is now almost as much isolated from the capital and the rest of Bengal as it was in the famine of 1866-67. Again, it is necessary to point out that most of the districts of Bengal have barely escaped this year a severe scarcity owing to the failure of latter rains, and even, as it is, there will be very high prices and much pressure on the poor. On the other hand, the crops in the Central Provinces have been superabundant, and a railway connecting those provinces with Bengal would have been invaluable. This state of things or even worse may occur again at any time and should be guarded against without loss of time by the construction of the railway.

With the remark on the question of gauge in the Despatch above alluded to, the Lieutenant-Governor entirely agrees. Being the shortest line of communication between Bombay and Calcutta, it will always command a certain amount of through traffic, but much of the advantages will be lost unless it is constructed on the broad gauge by which means alone the cost of freight can be kept down. With a line on the metre gauge connecting two others on the broad gauge, the delay and expense inseparable from the double transfer would, in the case of bulky goods, such as wheat, cotton, &c., be intolerable.

In considering the advantages which will follow the construction of the Bengal-Nagpur Railway, the Lieutenant-Governor is inclined to think that sufficient weight has not been given to the great impetus which will attach to the trade in wheat and the opening up to cultivators of the large tracts of country now lying waste or covered with jungle; and not only will the grain be carried at a much lower rate than is now possible to the port of Calcutta; but the gunny required for bagging the grain will be conveyed direct and at a low cost. All this will add to the traffic on the line and ensure its financial success. Mr. Rivers Thompson trusts, therefore, that the Government of India will again address the Secretary of State with the view of obtaining a reconsideration of the decision recently arrived.

Exports in Indian maunds from Chhallingarh block to each other external and internal block.

		To Central Provinces, Jabalpur block.	To Central Provinces, Narbada block.	To Central Provinces, Nimar block.	To Central Provinces, Nagpur block.	To external block, Raipurana.	To external block, Berar.	To external block, Bom- bay Presidency, exclud- ing Bombay Port.	To external block, Bom- bay Port.	To external block, Mad- ras and Hyderabad.	TOTAL.
Quarter ending 31st March 1883.	Wheat . . . . .	...	...	...	27,643	...	277	357	2,17,275	...	2,45,552
	Gram and Pulse . . . . .	...	50	433	21,103	188	12,808	1,361	9,931	...	45,964
	Rice, husked	3	5,093	32,816	1,03,384	34,165	2,09,798	1,28,771	4,644	539	5,20,113
	Rice, unhusked . . . . .	...	...	...	...	...	...	...	...	...	...
	TOTAL GRAINS	3	6,043	33,275	1,52,319	34,353	2,24,850	1,31,214	2,37,716	539	6,20,312
Quarter ending 30th June 1883.	Linseed . . . . .	...	...	...	832	...	...	...	2,44,339	...	2,45,171
	Til . . . . .	...	...	709	4,344	...	624	195	22,518	...	28,390
	Wheat . . . . .	...	...	30	29,715	...	...	226	5,24,348	...	5,54,319
	Gram and Pulse . . . . .	...	6	4,694	41,582	110	35,541	2,615	12,549	...	97,117
	Rice, husked . . . . .	...	7,314	12,859	67,575	20,936	61,124	48,505	12,539	...	2,30,852
	Rice, unhusked . . . . .	...	...	...	...	...	...	...	...	...	...
	TOTAL GRAINS . . . . .	...	7,320	17,583	1,38,937	21,046	98,470	51,422	5,49,533	...	8,84,311
	Linseed . . . . .	...	...	...	4,985	...	8	...	2,70,449	...	2,75,442
	Til . . . . .	...	...	299	384	...	21	21	3,209	...	3,934

J. B. FULLER,
Director of Agriculture.

Memorandum by A. P. RALLI, Esq., dated 14th January 1884:

I.—The average weight of 1,000 bushels of wheat is equal to 62,000 lbs.

As regards the weight of the bushel, this, as you are aware, varies between one description and another and also between one season and another; but I think that 62 lbs. per bushel on an average is very nearly the truth.

II.—The average weight of 1,000 empty gunnies, if A twills, is equal to 2,625 lbs.; if double E's, to 3,500.

As wheat is exported from this side chiefly in double E bags, but from the Bombay side to a great extent in A twills, I have given the weight of both descriptions.

III.—The average weight of wheat in 1,000 gunnies is equal to 224,000 lbs. (excluding weight of gunnies).

The point which Colonel Filgate wishes to ascertain from the above data is "*what would be the relief per bushel to wheat from this saving in cost of gunnies at Raipur?*" To show this I enclose the following two calculations:—

A, showing that if the wheat is packed in "A twills," the saving will come to *pie* 1·013 per bushel of 62 lbs.

B, showing that if the wheat is packed in double E bags, the saving will be *pie* 1·426 per bushel of 62 lbs.

The above calculations have been worked out on the mileage and railway freight given in the Government Minute.

In this paper it is stated that it is assumed that gunnies can be screwed in bales to 4 cubic feet for the maund; this, however, is not correct, because gunnies can be screwed to a smaller cubical capacity, and I think that you will agree in the following figures:—

A twills: 20 cubic feet per bale of 300 bags of $2\frac{5}{8}$ lbs. each, or 157 lbs. 8 oz. to 4 cubic feet.

E bags: 24 cubic feet per bale of 500 bags of $1\frac{3}{4}$ lbs. each, or 145 lbs. $\frac{5}{8}$ oz. to 4 cubic feet.

Taking the above as a basis, I enclose the following calculations:—

C, showing that if the wheat is packed in A twills, there is a difference per ton weight in favor of direct shipment by rail of R16·18, which is equal to a saving on 20,000 tons of R3,23,600.

D, showing that if the wheat is packed in double E bags, there is a difference per ton weight in favor of direct despatch by rail of R17·08, which is equal to a saving on 20,000 tons of R3,41,600.

With reference to our above calculations, I must add that I have only taken into account the railway freight compared to steamer freight, but when despatching by steamer the cost is still greater on account of Marine Insurance, and on account of all the expenses in Bombay in connection with the landing of the gunnies there and the despatching up-country.

At first sight the saving per bushel of wheat which would result by direct despatch by rail may not appear much to outsiders, but with the increase in trade, and the very keen competition which is felt more year by year, there is no doubt that the smallest saving in the manipulation of the goods becomes a very great factor in combining and extending business; and being established as we are, not only at the principal shipping ports (Calcutta, Bombay, and Kurrachee), but also in many of the important districts in the interior, we can speak by extensive actual experience.

I think that I have now replied clearly to the queries contained in your correspondence, but shall be very happy to supply you with any other information which you may require.

As, however, the calculations in question have resulted, as I see, from the discussions which are taking place for the projected scheme of constructing the Nagpur-Bengal Railway through the Central Provinces, I think that I may

add that the saving which would be secured to trade in the shape of a reduction in the cost of gunny bags is altogether one of the infinitesimal advantages which the construction of the railway would undoubtedly produce.

Of late years the wheat trade has assumed enormous proportions, and I believe that there can be no doubt that India can supply a still much larger quantity if we have the means for moving it, and this especially at more moderate railway freights than those now ruling.

It appears, therefore, to be self-evident that the construction of such a railway will be a very powerful element indeed in the development of the wheat and seed trade, which consequently will be benefited to a very much larger extent than what is shown in the saving of gunny bags; and the economy shown in this saving alone can, I think, be taken as a strong indication of the ultimate advantage which the line in question and the extension of railways generally would secure to the Indian trade; and if, as is to be hoped, the Nagpur-Bengal Railway be sanctioned, I quite agree with you in thinking that it should be on the broad-gauge principle.

As far as this point is concerned, one argument against it is that there is no "through traffic" between Calcutta and Bombay, but it appears to me that we have not only to look on through traffic between Calcutta and Bombay, but much more on the traffic which takes place between the interior markets and Calcutta and Bombay as shipping ports; and there cannot be the least doubt that it is very disadvantageous to have, as at present, for several districts to make despatches from Calcutta to Bombay by sea and thence by rail to the interior.

A

One bale containing 300 A twill bags measures on an average 20 cub. ft.	
50 cub. ft., or $2\frac{1}{2}$ bales, will therefore contain 750 bags, which, weighing $2\frac{1}{2}$ lbs. each, will be equal to	lbs. 1,968 75
Add for outer covering and hoops, say	„ 10 00
The total weight of 50 cub. ft. (750 bags) =	lbs. 1,978 75
which, at $82\frac{2}{5}$ lbs. per maund, is equal to	mds. 24 09
The freight by sea to Bombay on these 50 cub. ft., or 24 09 maunds is	R10 00
Add—	
Carriage by rail from Bombay to Nagpur (520 miles) and from Nagpur to Raipur (191 miles), say on 711 miles @ $\frac{1}{4}$ pie per mile per maund, on 24 09 maunds	„ 22 30
Total freight from Calcutta to Bombay by sea and from Bombay to Raipur by rail	R32 30
The railway freight from Howrah to Raipur direct, @ $\frac{1}{4}$ pie per mile per maund, on 24 09 maunds, is on 574 miles	„ 18 00
The difference, therefore, in favor of direct despatch by rail to Raipur on 750 bags is	R14 30
750 bags contain at 224 lbs. wheat per bag	lbs. 168,000
on which there is, therefore, on account of the saving by direct despatch by rail, a relief of R14 30;	
or per bushel of 62 lbs. of	pie 1 013

B

One bale containing 500 E bags measures on an average 24 cub. ft.	
50 cub. ft. will therefore contain bags 1,041 66, which, weighing $1\frac{3}{4}$ lbs. each, will be equal to	lbs. 1,822 90
Add for outer covering and hoops, say	„ 10 00
The total weight of 50 cub. ft. (1,041 66 B) =	lbs. 1,832 90

Memorandum by A. P. RALLI, Esq., dated 14th January 1884.

I.—The average weight of 1,000 bushels of wheat is equal to 62,000 lbs.

As regards the weight of the bushel, this, as you are aware, varies between one description and another and also between one season and another; but I think 62 lbs. per bushel on an average is very nearly the truth.

II.—The average weight of 1,000 empty gunnies, if A twills, is equal to 2,250 lbs.; if double E's, to 3,500.

As wheat is exported from this side chiefly in double E bags, but from the Bombay side to a great extent in A twills, I have given the weight of both descriptions.

III.—The average weight of wheat in 1,000 gunnies is equal to 221,000 lbs. (excluding weight of gunnies).

The point which Colonel Filgate wishes to ascertain from the above data is "*what would be the relief per bushel to wheat from this saving in cost of gunnies at Raipur?*" To show this I enclose the following two calculations:—

A, showing that if the wheat is packed in "A twills," the saving will come to pic 1·013 per bushel of 62 lbs.

B, showing that if the wheat is packed in double E bags, the saving will be pic 1·426 per bushel of 62 lbs.

The above calculations have been worked out on the mileage and railway freight given in the Government Minute.

In this paper it is stated that it is assumed that gunnies can be screwed in bales to 4 cubic feet for the maund; this, however, is not correct, because gunnies can be screwed to a smaller cubical capacity, and I think that you will agree in the following figures:—

A twills: 20 cubic feet per bale of 300 bags of $2\frac{1}{2}$ lbs. each, or 157 lbs. 8 oz. to 4 cubic feet.

E bags: 24 cubic feet per bale of 500 bags of $1\frac{3}{4}$ lbs. each, or 145 lbs. $\frac{5}{8}$ oz. to 4 cubic feet.

Taking the above as a basis, I enclose the following calculations:—

C, showing that if the wheat is packed in A twills, there is a difference per ton weight in favor of direct shipment by rail of R16·18, which is equal to a saving on 20,000 tons of R3,23,600.

D, showing that if the wheat is packed in double E bags, there is a difference per ton weight in favor of direct despatch by rail of R17·08, which is equal to a saving on 20,000 tons of R3,41,600.

With reference to our above calculations, I must add that I have only taken into account the railway freight compared to steamer freight, but when despatching by steamer the cost is still greater on account of Marine Insurance, and on account of all the expenses in Bombay in connection with the landing of the gunnies there and the despatching up-country.

At first sight the saving per bushel of wheat which would result by direct despatch by rail may not appear much to outsiders, but with the increase in trade, and the very keen competition which is felt more year by year, there is no doubt that the smallest saving in the manipulation of the goods becomes a very great factor in combining and extending business; and being established as we are, not only at the principal shipping ports (Calcutta, Bombay, and Kurrachee), but also in many of the important districts in the interior, we can speak by extensive actual experience.

I think that I have now replied clearly to the queries contained in your correspondence, but shall be very happy to supply you with any other information which you may require.

As, however, the calculations in question have resulted, as I see, from the discussions which are taking place for the projected scheme of constructing the Nagpur-Bengal Railway through the Central Provinces, I think that I may

add that the saving which would be secured to trade in the shape of a reduction in the cost of gunny bags is altogether one of the infinitesimal advantages which the construction of the railway would undoubtedly produce.

Of late years the wheat trade has assumed enormous proportions, and I believe that there can be no doubt that India can supply a still much larger quantity if we have the means for moving it, and this especially at more moderate railway freights than those now ruling.

It appears, therefore, to be self-evident that the construction of such a railway will be a very powerful element indeed in the development of the wheat and seed trade, which consequently will be benefited to a very much larger extent than what is shown in the saving of gunny bags; and the economy shown in this saving alone can, I think, be taken as a strong indication of the ultimate advantage which the line in question and the extension of railways generally would secure to the Indian trade; and if, as is to be hoped, the Nagpur-Bengal Railway be sanctioned, I quite agree with you in thinking that it should be on the broad-gauge principle.

As far as this point is concerned, one argument against it is that there is no "through traffic" between Calcutta and Bombay, but it appears to me that we have not only to look on through traffic between Calcutta and Bombay, but much more on the traffic which takes place between the interior markets and Calcutta and Bombay as shipping ports; and there cannot be the least doubt that it is very disadvantageous to have, as at present, for several districts to make despatches from Calcutta to Bombay by sea and thence by rail to the interior.

A

One bale containing 300 A twill bags measures on an average 20 cub. ft.	
50 cub. ft., or $2\frac{1}{2}$ bales, will therefore contain 750 bags, which, weighing $2\frac{1}{2}$ lbs. each, will be equal to	lbs. 1,968 75
Add for outer covering and hoops, say	„ 10 00
The total weight of 50 cub. ft. (750 bags) =	lbs. 1,978 75
which, at $82\frac{3}{8}$ lbs. per maund, is equal to	mds. 24 09
The freight by sea to Bombay on these 50 cub. ft., or 24 09 maunds is	R10 00
Add—	
Carriage by rail from Bombay to Nagpur (520 miles) and from Nagpur to Raipur (191 miles), say on 711 miles @ $\frac{1}{4}$ pie per mile per maund, on 24 09 maunds	„ 22 30
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The difference, therefore, in favor of direct despatch by rail to Raipur on 750 bags is	R14 30
750 bags contain at 224 lbs. wheat per bag	lbs. 168,000
on which there is, therefore, on account of the saving by direct despatch by rail, a relief of R14 30;	
or per bushel of 62 lbs. of	pie 1 013

B

One bale containing 500 E bags measures on an average 24 cub. ft.	
50 cub. ft. will therefore contain bags 1,041 66, which, weighing $1\frac{1}{2}$ lbs. each, will be equal to	lbs. 1,822 90
Add for outer covering and hoops, say	„ 10 00
The total weight of 50 cub. ft. (1,041 66 B)=	lbs. 1,832 90

Memorandum by A. P. RALLI, Esq., dated 14th January 1884.

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II.—The average weight of 1,000 empty gunnies, if A twills, is equal to 2,625 lbs.; if double E's, to 3,500.

As wheat is exported from this side chiefly in double E bags, but from the Bombay side to a great extent in A twills, I have given the weight of both descriptions.

III.—The average weight of wheat in 1,000 gunnies is equal to 224,000 lbs. (excluding weight of gunnies).

The point which Colonel Filgate wishes to ascertain from the above data is "*what would be the relief per bushel to wheat from this saving in cost of gunnies at Raipur?*" To show this I enclose the following two calculations:—

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C, showing that if the wheat is packed in A twills, there is a difference per ton weight in favor of direct shipment by rail of R16·18, which is equal to a saving on 20,000 tons of R3,23,600.

D, showing that if the wheat is packed in double E bags, there is a difference per ton weight in favor of direct despatch by rail of R17·08, which is equal to a saving on 20,000 tons of R3,41,600.

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A

One bale containing 300 A twill bags measures on an average 20 cub. ft.	
50 cub. ft., or $2\frac{1}{2}$ bales, will therefore contain 750 bags, which, weighing $2\frac{1}{2}$ lbs. each, will be equal to	lbs. 1,968 75
Add for outer covering and hoops, say	„ 10 00
The total weight of 50 cub. ft. (750 bags) =	lbs. 1,978 75
which, at $82\frac{2}{3}$ lbs. per maund, is equal to	mds. 24 09
The freight by sea to Bombay on these 50 cub. ft., or 24 09 maunds is	R10 00
Add—	
Carriage by rail from Bombay to Nagpur (520 miles) and from Nagpur to Raipur (191 miles), say on 711 miles @ $\frac{1}{4}$ pie per mile per maund, on 24 09 maunds	„ 22 30
Total freight from Calcutta to Bombay by sea and from Bombay to Raipur by rail	R32 30
The railway freight from Howrah to Raipur direct, @ $\frac{1}{4}$ pie per mile per maund, on 24 09 maunds, is on 574 miles	„ 18 00
The difference, therefore, in favor of direct despatch by rail to Raipur on 750 bags is	R14 30
750 bags contain at 224 lbs. wheat per bag	lbs. 168,000
on which there is, therefore, on account of the saving by direct despatch by rail, a relief of R14 30;	
or per bushel of 62 lbs. of	pie 1 013

B

One bale containing 500 E bags measures on an average 24 cub. ft.	
50 cub. ft. will therefore contain bags 1,041 66, which, weighing $1\frac{3}{4}$ lbs. each, will be equal to	lbs. 1,822 90
Add for outer covering and hoops, say	„ 10 00
The total weight of 50 cub. ft. (1,041 66 B)=	lbs. 1,832 90

which at $82\frac{2}{5}$ lbs. per maund is equal to	mds.	22·32
The freight by sea to Bombay on these 50 cub. ft., or 22·32 maunds, is		R10·00
Add—		
Carriage by rail from Bombay to Nagpur (520 miles) and from Nagpur to Raipur (191 miles), say on 711 miles, @ $\frac{1}{4}$ pie per mile per maund, on 22·32 maunds		„ 20·66
Total freight from Calcutta to Bombay by sea and thence to Raipur by rail		R30·66
The railway freight from Howrah to Raipur direct, say on 574 miles, @ $\frac{1}{4}$ pie per mile per maund, on 22·32 maunds is		„ 16·68
The difference, therefore, in favor of direct despatch by rail to Raipur on 1,041·66 bags is		R13·98
1,041·66 bags, or 520·83 double E bags, contain at 224 lbs. wheat per double bag	lbs.	116,665·92
on which there is, therefore, on account of the saving by direct despatch by rail, a relief of R13·98;		
or per bushel of 62 lbs. of	pie	1·426

C

A TWILLS.

The freight by sea to Bombay on 50 cub. ft. (750 bags), or 24·09 maunds, is, as per Statement A	R	10·00
or per ton weight of maunds 27·27 (2,240 lbs. at $82\frac{2}{5}$ lbs. per maund)	R	11·32
Add—		
Carriage by rail from Bombay to Raipur, say on 711 miles, at $\frac{1}{4}$ pie per mile per maund, on maunds 27·27	„	25·24
Total freight from Calcutta to Bombay by sea and from Bombay to Raipur by rail	R	36·56
The railway freight from Howrah to Raipur direct, say on 574 miles, at $\frac{1}{4}$ pie per mile per maund, on maunds 27·27, is	„	20·38
The difference, therefore, in favor of direct despatch by rail to Raipur is per ton of 27·27 maunds	R	16·18
or on 20,000 tons	R	3,23,600

D

E BAGS.

The freight by sea to Bombay on 50 cub. ft. (1,041·66 bags), or maunds 22·32, is, as per Statement B	R	10·00
or per ton weight of maunds 27·27 (2,240 lbs. @ $82\frac{2}{5}$ lbs. per maund)	R	12·22
Add—		
Carriage by rail from Bombay to Raipur, say on 711 miles, @ $\frac{1}{4}$ pie per mile per maund, on maunds 27·27	„	25·24
Total freight from Calcutta to Bombay by sea and thence by rail to Raipur	R	37·46
The railway freight from Howrah to Raipur direct, say on 574 miles, @ $\frac{1}{4}$ pie per mile per maund, on maunds 27·27 is	„	20·38
The difference, therefore, in favor of direct despatch by rail to Raipur is per ton of 27·27 maunds	R	17·08
or on 20,000 tons	R	3,41,600

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

ABSTRACT OF THE PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR
GENERAL OF INDIA, ASSEMBLED FOR THE PURPOSE OF MAKING
LAWS AND REGULATIONS UNDER THE PROVISIONS OF
THE ACT OF PARLIAMENT 24 & 25 VIC., CAP. 67.

The Council met at Government House on Friday, the 6th February, 1885.

PRESENT:

His Excellency the Viceroy and Governor General of India, K.P., G.C.B.,
G.C.M.G., P.C., G.M.S.I., G.M.I.E., *presiding*.
His Honour the Lieutenant-Governor of Bengal, K.C.S.I., C.I.E.
His Excellency the Commander-in-Chief, G.C.B., C.I.E.
The Hon'ble J. Gibbs, C.S.I., C.I.E.
Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.
The Hon'ble C. P. Ilbert, C.I.E.
The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.
The Hon'ble T. C. Hope, C.S.I., C.I.E.
The Hon'ble Sir A. Colvin, K.C.M.G., C.I.E.
The Hon'ble J. W. Quinton.
The Hon'ble Amír Alí.
The Hon'ble W. W. Hunter, LL.D., C.S.I., C.I.E.
The Hon'ble H. J. Reynolds.
The Hon'ble Rao Sahib Vishvanath Narayan Mandlik, C.S.I.
The Hon'ble Peári Mohan Mukerji.
The Hon'ble H. St.A. Goodrich.

INDIAN PORTS ACT, 1875, AMENDMENT BILL.

The Hon'ble MR. ILBERT moved that the Report of the Select Committee on the Bill to amend the Indian Ports Act, 1875, be taken into consideration. He said:—

“This Bill originally consisted of a single section, the effect of which was to authorise payment to port-officers of pensions out of the port-fund. We have slightly amended this section so as to meet the case of an officer who has earned his pension partly from the port and partly from service elsewhere, and we have added sections amending the Ports Act in one or two other particulars. We have removed a technical difficulty about the publication of certain orders under the Act. We have enabled the port-authorities to dispense with the levy of separate hospital-dues, and, instead of levying them, to contribute money from the port-fund-account for the support of hospitals for seamen or for providing sanitary superintendence and medical aid for the shipping and seamen belonging to ships in port. This amendment was suggested by the Bombay Government, and has received the approval of Calcutta and Rangoon. I understand that at Madras no separate hospital port-dues are levied, and consequently no change in the law is required there. Lastly, we have raised the maximum which is at present fixed by law for port-dues levied in the Cuttack ports. We have done this at the request of the Bengal Government, who represented that the present port-dues are not sufficient to meet the expenses of the port-establishments. It will be understood that the Bill does not of itself raise the dues leviable in the Cuttack ports, but it enables the Bengal Government to raise them if it finds it necessary to do so.”

The Hon'ble MR. REYNOLDS said:—“I wish to say a few words as to section 5 of the Bill, because the Bengal Chamber of Commerce, in a letter addressed in August last to the Local Government, expressed itself as not altogether satisfied with the proposal to increase the port-dues in the Cuttack

ports in the manner authorized by the Bill, and any representation from the Bengal Chamber of Commerce always receives the fullest consideration at the hands of His Honour the Lieutenant-Governor. The letter of the Chamber was not altogether opposed to some increase of the port-dues, but it objected to so large an increase as the Bill proposes, and it suggested that it might perhaps be possible to balance the receipts and charges by effecting some reduction in the expenditure. The present rate, which is six annas per hundred maunds, may be taken as about equivalent to one anna and eight pies per ton, and under the Bill it is proposed to give power to raise the rate to four annas per ton. That is, no doubt, a considerable increase, but it is the same rate as is levied at other ports, and I may observe that it is a maximum rate, and it does not follow that the maximum amount will be levied; indeed, I may say that it is not the intention of the Government to use the full power conferred by the Bill unless it is found absolutely necessary to do so. The Government has very carefully considered the possibility of reducing the charges instead of raising the receipts, but enquiry has shown that the present charges will not admit of reduction, and it does not seem reasonable that the provincial revenues should be laid under contribution, year after year, to meet a continually recurring deficit on account of the Balasore ports.

The Motion was put and agreed to.

The Hon'ble Mr. ILBERT moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

ACT XXII OF 1881 AMENDMENT BILL.

The Hon'ble Mr. QUINTON moved that the Report of the Select Committee on the Bill to amend Act XXII of 1881 be taken into consideration. He said:—

“The Select Committee has had before it reports from all the Local Governments to whose territories this Bill, if passed into law, will extend, and has duly considered the suggestions received from those different sources.

“The alterations made, in consequence, in the Bill as introduced, which I shall now briefly explain for the information of Council, are not numerous.

“In British Burma there is a local collector of revenue styled a Thugyi. These men give much assistance to District-officers in administrative affairs generally, and more especially in all matters connected with the suppression of crime.

“They can, under the present law, be appointed Excise-officers by the Collector of the district; but as they are not in receipt of the monthly salary prescribed by sections 28 and 29 of Act XXII of 1881 it may be held that they cannot exercise the powers of arrest and search referred to in those sections. Their remuneration is paid in the shape of a percentage on their collections, and these percentages range from Rs. 1,000 to Rs. 2,000 per annum; so that, if the amount of remuneration be accepted as a criterion of respectability, they are much superior in that respect to officers drawing Rs. 10 per mensem.

“The Chief Commissioner considers it desirable that when appointed Excise-officers they should exercise the powers described in sections 28 and 29 of the Excise Act, and with this object we have altered the wording of the sections as provided in sections 1 and 2 of the Bill.

“We have also, by section 2 of the Bill, made an addition to section 29 to provide for the case, which it is proposed to legalise, of the Excise-officer who makes the search being a Police-officer. It is obviously superfluous to require that a second Police-officer of the prescribed grade should be present at the search in such cases.

“Section 3 of the Bill embodies the provisions of the Bill as introduced with the following modifications:—

“The power of stopping and detaining persons carrying illicit drugs and liquors may, we believe, be safely and with advantage conferred on all Police-officers. This was the law in force until 1881; it is the view of the existing law which has until lately been acted on in all provinces; and it is in accordance with the powers exercised by constables in all cognisable criminal cases, however petty. We have drawn section 34A so as to effect this object.

“The more important powers of arrest and search described in sections 28 and 29 we have restricted as proposed in the Bill, with the addition of officers in charge of police-stations and sergeants. The former class of officers has been added, at the request of the Burma Administration, to cover cases where first class constables may be left in charge of police-stations, and the latter to make the nomenclature of the Bill correspond with that of the Panjáb police-force. Officers known elsewhere as head-constables are there styled sergeants.

“The Government of the North-Western Provinces and Oudh brought to our notice that the word ‘complaint’, used in section 47 of the Excise Act, might be held to mean a complaint as technically defined in the Code of Criminal Procedure, and to exclude the report of an Excise-officer such as is prescribed in section 32 of the Act. In order that there may remain no doubt on this point, we have re-drafted section 47 of the Excise Act in the manner provided by section 4 of the Bill.”

The Motion was put and agreed to.

The Hon’ble MR. QUINTON also moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

The Council adjourned to Friday, the 13th February, 1885.

FORT WILLIAM; }
The 13th February, 1885. }

R. J. CROSTILWAITE,
Offg. Secy. to the Govt. of India,
Legislative Department.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR
THE WEEK ENDING THE 11th FEBRUARY 1885.

GENERAL REMARKS.—Ruin has fallen generally throughout the Punjab, Bengal and Assam, in Sind, and in two or three districts in the North-Western Provinces and Oudh. In British Burmah there has been ruin in several places.

In Madras agricultural prospects are still bad in Bellary and Anantapur. Elsewhere in the Presidency the crops are in fair condition, but the outturn of the harvest is generally below the average. In Mysore prospects are fair, but more rain is wanted for the crops in the Kolar and Tumkur districts. There is no change in the situation in Coorg.

In Bombay the *rabi* is being reaped in parts of Ahmednagar, Sholapur, Belgaum, and Kaladgi, and the standing crops are generally in good condition. In the Berars, the Nizam's territories, the Central India and Rajputana States agricultural prospects continue satisfactory.

In the North-Western Provinces and Oudh, the Punjab, and the Central Provinces prospects remain unchanged.

The prospects of the *rabi* are generally favourable in Bengal, though in some districts damage has been done by insects. Reaping of mustard and pressing of sugarcane continue.

In Assam ploughing for *aus* cultivation is in progress and the mustard crop is being gathered in two districts.

Cholera is abating in the Tanjore and Madura districts, but is increasing in Coimbatore. Smallpox is prevalent in several Provinces. Otherwise the public health is generally good.

Prices are fluctuating in the Punjab, elsewhere they are generally stationary.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Madras—(Feb. 11th)		
Bellary	<i>Nil</i>	Standing crops, dry crops generally and wet crops in parts, withering from want of rain; harvest dry grains and pulses, yield below average; smallpox exists.
Kurnool	"	Standing crops good except in one division and in parts of three taluks where they are withering from want of rain; harvest, <i>cholum</i> and pulses, outturn below average; smallpox and cattle-disease in two taluks.
Ganjam	"	Cholera slight, smallpox, fever, and cattle-disease prevalent.
Kistna	"	Standing crops good, river 5 ft. over anicut; fever and smallpox exist; 19 deaths from cholera.
Chingleput (Madras) .	"	Standing crops in parts of 3 taluks affected by insects; harvest paddy, outturn below half the average; smallpox and cattle-disease exist; cholera prevalent, 84 deaths.
Coimbatore	"	Standing crops, wet good, dry fair in 2 taluks, elsewhere failing; harvest wet and dry grains, outturn wet about average, dry below average; fever exists; cholera again increasing, 359 deaths.
Tanjore	"	Rivers 1 to 3 feet; standing crops generally good; harvest wet and dry crops, outturn below average; cholera abating, 296 deaths.
Madura	"	Fever prevalent; cholera abating, 57 deaths.
Malabar	"	Harvest of second crop paddy nearly over, operations for third rice crop commenced in 2 taluks; fever exists, smallpox, and cattle-disease slight; 76 deaths from cholera.
Travancore	"	Harvest second crop paddy almost over; yield good; smallpox exists; cholera prevalent; 7 deaths at Trevandrum.
		<i>General Remarks.</i> —General prospects fair except in parts of Bellary and Anantapur.
Bombay—(Feb. 11th)		
Karachi	In Karachi '04; average of 11 other stations '13.	River at Kotri on 7th, 6 feet 4 inches against 3 feet 11 inches on same date last year; fever in 11 talukas; cattle-disease in 1 taluka, loss of 111 buffaloes, 85 cows and bullocks, sheep and goats; cholera cases during the week, in Sakro 32 cases, 15 deaths; in Ghorabari 17 cases, 3 deaths; in Jati 4 cases, 4 deaths; in Shabbunder 4 cases, no deaths; 1 fresh case of smallpox; 2 deaths in Karachi; disease in 32 villages in district; 46 fresh cases, 6 deaths, 41 remaining sick; prices of wheat, red rice, and <i>bajri</i> —in Karachi 26, 28, and 40, in Dadu 38, 32, and 44, in Tatta 28, 40, and 36, and in Sajawal 28, 44, and 42 lbs. per rupee respectively.
Hyderabad	35 in Shadadpur on 27th, 22 in Moro on 28th and 20 in Sakrand, on 26th January	<i>Rabi</i> crops injured in Moro and Nausharo by frost; and in Mirpur owing to water-supply from Mithran canal being withheld; cotton damaged by frost in Tando, Alahyar, and Shadadpur; river at Kotri on 7th, 6 feet 4 inches against 3 feet 11 inches on same date last year; fever in 5, smallpox in 3, measles in 1, and cattle-disease in 4 talukas; wheat 30½, <i>jowari</i> 40, <i>bajri</i> 41, red rice 28, and white rice 20 lbs. per rupee.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay—contd.		
Ahmedabad	Nil	Cotton crops middling; other crops healthy; slight fever in Dholka; wheat 32 and <i>bajri</i> 34 lbs. per rupee.
Draoch	"	Public health fair; cattle-disease continues in Delgon; standing crops in good condition; prices, <i>bajri</i> 34 and rice 21 lbs. per British rupee.
Surat	"	Standing crops healthy; fever in Pardi, Bardali, and Mundvi talukas; <i>jowari</i> 39 and <i>nagli</i> 45 lbs. per rupee.
Nasik	"	<i>Rabi</i> crops generally good; slight injury to crops by mildew in Sinnar, Niphand, Chardar, Yeola, Malegaon, and Peint; public health generally good; smallpox in parts of Malegaon; rare cases of cholera at Trimbak taluka, Nasik; wheat 37, <i>bajri</i> 37, and rice 21 lbs. per rupee.
Colaba (Bunbay) . . .	"	Average abnormal temperature 1° cool from 4th to 8th and 4° cool on 9th and 10th; vapour in air excessive on 4th and 5th and defective from 7th to 10th; abnormal wind northerly from 7th to 10th.
Poona	"	<i>Rabi</i> crops generally good; reaping progressing in Khed; small insects and frost have slightly injured crops in Jannar, Purandhar, Maual, and Haveli talukas; cattle-disease in a few villages in Khed; slight smallpox in a village in Purandhar; 20 cases of cholera in Jannar taluka, 11 fatal; <i>bajri</i> 34 and <i>jowari</i> 39; in Poona <i>bajri</i> 30 and <i>jowari</i> 35 lbs. per rupee.
Ahmednagar	"	Reaping of <i>rabi</i> in progress; wheat and <i>jowari</i> damaged in some places; public health good; <i>jowari</i> 40 to 60 and <i>bajri</i> 35 to 48 lbs. per rupee.
Sholapore	"	Reaping of <i>rabi</i> crops commenced in Sholapur, Marwah, and Sangola talukas; <i>jowari</i> 49 lbs. 23 tobas and <i>bajri</i> 38 lbs. 33 tobas per rupee.
Dharwar	"	Harvesting of wheat in progress, that of gram commenced; exotic cotton blighted in some villages of 3 talukas; scarcity of fodder in Navalgund, Mindargi and Karajgi; that of drinking water in Nar-gund, Bankapur, and Hangol; rice 23 to 32 and <i>jowari</i> 39 to 56 lbs. per rupee; public health good.
Kanara	"	Common rice in Karwar and district average 14 seers per rupee; sugarcane thriving in all talukas; fever in Hauore, Bhatkal, Sidda-pur, and Yellapur; smallpox at Kunta, Sirsi, Haliyal, and Mandgi, 8 deaths at Kunta and 1 at Sirsi; cattle-disease at Supa; water-supply good in Ghut talukas; weather fair.
Rajkot	"	General health good; smallpox among cattle continues in Dedan; <i>bajri</i> 34 and <i>jowari</i> 44 lbs. per rupee. <i>General Remarks.</i> — <i>Rabi</i> harvest in progress in parts of Ahmed-nagar, Sholapur, Belgaum and Kaladgi; standing crops injured by frost in parts of Hyderabad, by mildew in parts of Nasik, by rust and blight in parts of Shikarpar, and by insects in parts of Poona and Ratnagiri; scarcity of fodder and drinking water continues in several talukas of the Southern Mahratta Country districts; cholera in parts of 6 districts, smallpox and cattle-disease in parts of 10, and fever in parts of 13 districts.
Bengal—(Feb. 11th)		
Chittagong	76	Weather rainy; winter crops are promising well; prices of food grains stationary; sporadic cases of cholera prevail throughout the district.
Dacca	77	Prospects of crops good; mustard is being gathered; ploughing and sowing operations for early paddy are going on; the rain has done much good to standing crops; there are a good many cases of smallpox in the district, otherwise public health good.
24-Pergunnahs		Prospects of crops continue satisfactory and the yield is estimated above the average; some damage done to <i>rabi</i> crops owing to the continuous rain; harvesting of <i>amun</i> paddy is nearly finished; price of common rice varies from 15 to 18 seers per rupee; public health generally good, though a few cases of cholera are reported from Mathurapur police station.
Moorshedabad	81	Weather cold in the early part of the week, but now warm and mild again; a good shower of rain fell on the 6th instant in some thanas; prospects of <i>rabi</i> crops excellent in some places, elsewhere fair; the rain will do good; sugarcane is being pressed in the Kandi and Jungipore sub-divisions with a good outturn; rice is selling at from 14 to 17 seers per rupee; public health generally excellent.
Burdwan	Rainfall slight	The outturn of <i>amun</i> paddy in thana Poorbosthali has been slightly better than expected; prospects of <i>rabi</i> crops good; price of rice has risen slightly; public health generally good.
Rangpore	94	The rain has greatly benefited standing crops; prices of food-grains stationary; public health good.
Bhagalpore	03	Prospects of crops good; price of rice stationary; public health good.
Purneah	04	Prospects of winter crops good; more rain is wanted for wheat; mustard nearly all reaped; some tobacco is being harvested; ploughing has commenced for early paddy; common rice is 16 seers per rupee; public health fairly good.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bengal—contd.		
Patna	2.11	Weather cloudy; reaping of <i>rabi</i> crops is pushed on; insects continue to do injury to the crops; opium is being collected; public health good.
Darbhanga	"	Prospects of <i>rabi</i> and poppy crops continue favourable; mustard is being reaped with good outturn; prices stationary; public health generally good.
Hazratnagar	"	Weather cold and latterly cloudy; prospects of standing crops continue good; lancing of poppy is in progress in about half the crop and the other half is in flower; collection of opium has commenced; smallpox still reported from the interior, otherwise general health good.
Cuttack . . . . .	.93	Weather cloudy at times; reaping of <i>sarad</i> nearly completed; <i>dalua</i> and wheat are growing well; price of rice stationary; cases of cholera are reported, otherwise public health good.
Midnapore . . . . .	.78	Weather cool; heavy rain fell in the interior; prospects of crops good; sporadic cases of cholera are still reported.
Khulna . . . . .	.86	Weather unsettled; <i>aman</i> paddy almost stored, outturn good; prospects of standing crops favourable; lands are being prepared for <i>aus</i> crops; prices of food-grains stationary; public health good.
Dinapore . . . . .	.03	Weather cool; prospects of winter crops good; prices of food-grains stationary; a few cases of cholera are reported from south of the district, otherwise public health good.
Pubna (Serajgunge) . . . . .	.28	Weather cloudy; standing crops are promising; price of rice stationary; public health good.
Gya . . . . .	.05	Weather cloudy and cool; <i>rabi</i> crops have somewhat been damaged by insects; sugarcane is being planted in Nowada; prices of food-grains almost stationary; irrigation from wells; rivers nearly all dry; a few cases of fever and smallpox are reported; health of cattle good; 700 and 37 persons are on road and relief-works respectively; prospects of poppy crop not favourable.
Champani	Nil	Prospects of <i>rabi</i> and poppy crops good; prices of food-grains stationary; public health fair.
Shahabad		Weather continuously cloudy, with rain at intervals; blight general but mild; considerable damage to poppy crop is apprehended.
Mozufferpore		State of poppy crop generally good; but some blight has appeared.
Saran		Weather cloudy and muggy; blight has not increased; lancing of poppy has commenced; condition of the poppy crop generally continues favourable still.
Monghyr		Prospects of poppy crop continue favourable, and collection of opium has commenced throughout the district.
		<i>General Remarks.</i> —There has been rain in almost every district of the Province. It has generally benefited the <i>rabi</i> crops and facilitated the ploughing of lands for <i>aus</i> crops; potatoes have been injured in places where the rain was heavy; reaping of mustard and pressing of sugarcane are going on, and in some places the latter crop is being planted; prospects of <i>rabi</i> crops generally favourable, but in a few districts they are being damaged by insects; price of rice almost stationary; general health good, though cholera and smallpox prevail.
N.-W. Provinces and Oudh—(Feb. 12th)		
Bareilly (Feb. 10th)	No rain	Weather colder; grain has formed in barley, wheat, &c.; peas cut outturn average; opium doing well; bazars well supplied; prices of wheat, barley, and gram falling; no sickness of men or cattle.
Gorakhpur (" 9th)	Slight rain in the north.	Weather variable; crops excellent; poppy in flower; trade dull; health good.
Fyzabad (" 10th)	No rain during the week.	Prospect of <i>rabi</i> and opium crops good; public health and condition of cattle good.
Lucknow (" 9th)	No rain	Weather often cloudy; blight is spreading in wheat and <i>sarson</i> crops on account of east wind and cloudy weather; poppy crops healthy and irrigation continues; supplies in markets sufficient; prices steady; slight cattle-disease in tahsil Lucknow; health of people good.
Rai Bareilly (" ")	No rain fell during the week.	Weather cloudy at times; state of crops good; supplies abundant; prices steady; general health good.
Parturgharh (" 10th)	No rain	Weather still cloudy; mildew has appeared in many places; <i>rabi</i> and poppy crops are doing well; opium-extracting operations have fairly progressed; prices almost stationary; general health good.
Allahabad (" ")	No rain	Sky cloudy; the cloudy weather has been temporarily unfavourable to the crops; no marked change in prices; health good.
Cawnpore (" 9th)	No rain	Weather cloudy off and on; crops slightly injured by insects; sowing of extra crops has commenced; poppy plants strong and healthy but in some places the plants have been injured by caterpillars; prices steady; health of people and cattle good.
Banda (" 10th)	No rain	Weather now clear and bright; wheat in low lands of parganas Banda and Faizabad have suffered to some extent from smut owing to cloudy weather of last week; prices stationary.
Ballia (" 9th)	Some slight showers	Weather cloudy; <i>rabi</i> prospects continue favourable; markets well supplied; health of people and cattle good.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
N.-W. P. & Oudh <i>contd</i>		
Farakhabad (Feb. 10th)	No rain	Wind variable; crops not much damaged by late hailstorm; poppy substantially improved; condition of people generally good.
Sitapur . (" ")	No rain	Occasional clouds during week; wind variable; prospects favourable; condition of poppy crops satisfactory.
Bareilly . (" 9th)	No rain	Crops good everywhere; no sickness of people or cattle.
Rumnaon . (" ")	Some rain	Weather fair; crops doing very well; prices stationary; cattle disease continue; no reports about smallpox; few cases of fever; general health good.
Agra . (" 10th)	No rain	Hail in two parganas last week; wheat grain and <i>sarson</i> suffering from blight; irrigation going on; prices steady; health good.
Jhansi . (" ")	No rain but a slight fall of hail in Jhansi and Niam parganas.	Weather cloudy; <i>rabi</i> and poppy crops doing well; no damage to crops; markets well supplied; prices fair; health of people and cattle good.
Meerut . (" 9th)	No rain	Weather now clear and cold; prospects of <i>rabi</i> excellent; supplies sufficient; prices easy; health good.
		<i>General Remarks.</i> —Blight and mildew present in some districts; prospects generally good; markets well supplied; prices easy; public health good.
Punjab— (Feb. 11th)		
Delhi	Nil	Health fair; <i>rabi</i> crops promising; prices slightly falling.
Hissar	"	Health fair; <i>rabi</i> prospects good; prices falling.
Unbhatta	No rain	Health and prospects good; <i>rabi</i> crops flourishing; prices stationary.
Jullundur	"20	Health and prospects of coming crops good; prices stationary.
Amritsar	"40	Health and crop prospects good; prices almost stationary.
Sialkot	"50	Crop prospects good; prices stationary.
Ferozepore	"20 at Moza; "10 at Zira	Health and state of crops good; prices rising.
Lahore	"20	Health good; state of crops fair; prices stationary.
Rawalpindi	"80	Health good; <i>rabi</i> prospects good in 6 tahsils; crops in Rawalpindi tahsil threatened with blight owing to heavy rains; prices almost stationary.
Mooltan	Drizzling rain with slight hail at Sadr.	Health and crop prospects good; prices almost stationary.
Shahpur	Rain throughout the district.	Health good; prices stationary.
Dera Ismail Khan	No rain	Health and prospects good.
Peshawar	"40	Health and <i>rabi</i> prospects good; prices falling.
		<i>General Remarks.</i> —Health and crop prospects good; crops in Rawalpindi tahsils threatened with blight owing to excessive rain; prices falling in the Hissar, Delhi, and Peshawar districts, rising in Ferozepore, and stationary in the remaining districts of the province.
Central Provinces— (Feb. 11th)		
Nagpur	Nil	Weather clear; prospects good; <i>rabi</i> being harvested; smallpox prevalent; cattle-disease in places; prices stationary.
Jubbulpore	"	Weather cloudy and unsettled; <i>rabi</i> crops in ear and thriving; prospects and health good; prices stationary.
Saugor (Feb. 10th)	"	Weather cloudy; mildew has appeared on wheat owing to excessive clouds, otherwise crops favourable; health good; prices easy.
Seoni	"	Weather occasionally cloudy; <i>rabi</i> flourishing; reaping measure commenced; cattle-disease continues; slight smallpox; prices steady.
Hoshangabad	"	Weather seasonable; prospects fair; pulses being harvested; 2 fatal cases of cholera; fever slightly prevalent; prices stationary.
Khandwa	"	Mornings and nights cool, days warm; <i>rabi</i> prospects good; health good; prices stationary.
Raipur	"	Weather occasionally cloudy; wheat and gram flourishing; linseed reaping commenced; pulses almost harvested; peas damaged by cloudy weather; cattle-disease abating; prices stationary.
Sambalpur (Feb. 7th)	"	Weather cloudy and warm; prospects favourable; cholera in different parts of district; prices stationary.
		<i>General Remarks.</i> —There has been no more rain, but it is still cloudy in some districts; prospects continue favourable; prices are generally stationary; slight cholera and smallpox in places.
British Burma— (Feb. 11th)		
Akyab (Feb. 7th)	Nil	Public health and health of cattle good; threshing nearly over.
Bassein (" ")	0.59	Four deaths from smallpox in district, otherwise public health good; cattle-disease declining except in Kyoukphyo township, where 36 deaths occurred.
Rangoon (" ")	0.17	Public health good.
Amherst (" ")	Nil	Public health good.
Moulmein	"	"
Tavoy (" ")	"	Public health good; harvest nearly closed.
Pegu (" ")	0.30	Public health and health of cattle good.
Heuzada (" ")	Nil	A few cases of smallpox in town; 6 cases of cholera in district.
Prome (" ")	"	Slight cholera in town, in district sporadic only; cattle healthy; fever abating.
Toungoo (" ")	0.17	Public health good.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
British Burma—contd. Thayetmayo (Feb 7th)	<i>Nil</i>	Six cases of smallpox in town, otherwise public health good. <i>General Remarks.</i> —Slight smallpox in Bassein, Henzada, Thayetmayo, and Mergui; slight cholera in Henzada, Thongwa, and Prone, elsewhere public health good; slight cattle-disease in Bassein, elsewhere health of cattle good; rainfall in Rangoon, Thongwa, Bassein, Pegu, Toungoo, Tharrawaddy, Moulmein, Shwegyin, and Mergui from 0·7 to 1·70 inches, elsewhere no rainfall.
Assam — (Feb. 11th) Gauhati	·06 during the week ending 10th instant.	Weather cloudy; nights cool; mustard being gathered; lands being ploughed for <i>aus</i> cultivation; public health fair.
Sylhet	·16	State and prospects good; the late rain facilitated ploughing; public health fair.
Cachar	·14	Weather getting warm; reaping of mustard progresses; public health good; common rice 17½ seers per rupee.
Dibrugarh	·21	Weather seasonable; ploughing for early <i>aku dhan</i> ; prospects of winter crops good; district healthy.
Mysore and Coorg— (Feb. 11th) Bangalore	<i>Nil</i>	In Kolar and Tumkur districts crops suffering from want of rain, otherwise prospects fair; public health generally good; prices continue to rise.
Mercara	"	Threshing rice and picking coffee nearly completed; market for coffee and cardamoms dull; prices of food grains stationary.
Berar & Hyderabad— (Feb. 12th) Amraoti	<i>Nil</i>	Weather clear; prospects of <i>rabi</i> crop favourable; cotton-picking and <i>jowari</i> -threshing continue; wheat 22, <i>jowari</i> 26 seers per rupee.
Akola	"	<i>Rabi</i> prospects good; threshing of <i>khari</i> f crops almost completed.
Central India States— (Feb. 11th) Indore	<i>Nil</i>	Weather cloudy but much colder; prospects of crops and health good; prices steady.
Morar (Gwalior)	"	Health and prospects good; weather seasonable.
Sutna	"	Health and prospects good.
Neemuch	"	Crops doing well; weather cold; health good.
Goona	"	Weather very cold; health and prospects good.
Agar	"	Opium and wheat prospects good; health good.
Schore	"	Weather fair; opium and other crops good; health good.
Nowgong	"	<i>Rabi</i> prospects favourable; prices steady; health good.
Manpur (Bhopawar)	"	Prospects good; opium crops are doing well; health good.
Rajputana— (Feb. 11th) Abu (Feb. 11th)	<i>Nil</i>	Weather cold and windy.
Sirohi (" 8th)	"	Weather fine, health and prospects good; tanks dry.
Marwar (" 6th)	"	Weather cloudy; health and prospects good; prices steady.
Haroti (" 9th)	·01 Shahpura	Weather windy and cold; health and crops good.
Jhallwar (" 6th)	<i>Nil</i>	Health and prospects good; weather changeable.
Ajmere (" 10th)	"	Prospects excellent; weather still continues cold; health good.
Ulwur (" ")	"	Health and crop prospects good; weather cloudy.

T. W. HOLDERNESS,
Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

ABSTRACT OF THE PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR
GENERAL OF INDIA, ASSEMBLED FOR THE PURPOSE OF MAKING
LAWS AND REGULATIONS UNDER THE PROVISIONS OF
THE ACT OF PARLIAMENT 24 & 25 VIC., CAP. 67.

The Council met at Government House on Friday, the 13th February, 1885.

PRESENT :

His Excellency the Viceroy and Governor General of India, K.P., G.C.B.,
G.C.M.G., P.C., G.M.S.I., G.M.I.E., *presiding*.
His Excellency the Commander-in-Chief, G.C.B., C.I.E.
The Hon'ble J. Gibbs, C.S.I., C.I.E.
Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.
The Hon'ble C. P. Ilbert, C.I.E.
The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.
The Hon'ble T. C. Hope, C.S.I., C.I.E.
The Hon'ble Sir A. Colvin, K.C.M.G., C.I.E.
The Hon'ble Mahārāja Luchmessur Singh, Bahádur, of Durbhunga.
The Hon'ble J. W. Quinton.
The Hon'ble T. M. Gibbon, C.I.E.
The Hon'ble Amír Ali.
The Hon'ble W. W. Hunter, LL.D., C.S.I., C.I.E.
The Hon'ble H. J. Reynolds.
The Hon'ble Rao Sahib Vishvanath Narayan Mandlik, C.S.I.
The Hon'ble Peári Mohan Mukerji.
The Hon'ble H. St.A. Goodrich.

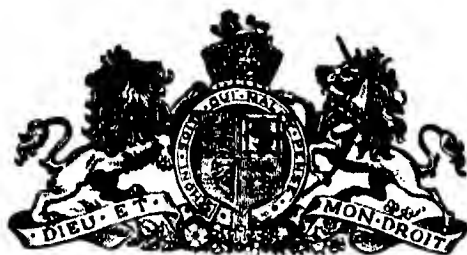
BENGAL TENANCY BILL.

The Hon'ble SIR STEUART BAYLEY presented the further Report of the Select Committee on the Bill to amend and consolidate certain enactments relating to the Law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal. He said :—

“The Report and the minutes of various members of the Committee expressing their opinions on special portions of the Bill will be published as a supplement to the Gazette. There being no Motion before the Council, I am precluded by the rules from making any remarks on this occasion; only with Your Lordship's permission I wish to inform honourable members that I propose this day fortnight to move that the Report be taken into consideration, and I will ask the attention of members of the Council to Rule 28, which says that all amendments should be in the Secretary's hands three days before the Motion is made.”

The Council adjourned to Friday, the 20th February, 1885.

<p>FORT WILLIAM; The 13th February, 1885.</p>	}	<p>R. J. CROSTHWAITE, <i>Offg. Secretary to the Government of India,</i> <i>Legislative Department.</i></p>
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The Gazette of India.

PUBLISHED BY AUTHORITY.

N^o 8. } CALCUTTA, SATURDAY, FEBRUARY 21, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

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PART III.—Advertisements and Notices by private individuals and Corporations.

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SUPPLEMENT No. 8.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATIONS.

Fort William, the 20th February, 1885.

No. 3.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 and 25 Vic., cap. 67, section 10, has been pleased to re-appoint the Hon'ble J. W. Quinton to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations, with effect from the 23rd instant.

No. 4.—His Excellency the Viceroy and Governor General, under the authority vested in him by the Statute 24 and 25 Vic., cap. 67, section 10, has been pleased to reappoint the Hon'ble the Maharaja Luchmessur Singh, Bahadur, of Darbhanga, to be an Additional Member of the Council of the Governor General for the purpose of making Laws and Regulations, with effect from the 22nd instant.

No. 5.—Furlough out of India for one year, under Section 21, Chapter IV of the Civil Leave Code, has been granted to Mr. J. M. Macpherson, Deputy Secretary to the Government of India, in the Legislative Department, together with the usual subsidiary leave, with effect from the 3rd proximo, or the subsequent date on which he may avail himself of the same.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PUBLIC.

Calcutta, the 19th February 1885.

No. 240.—Under the provisions of Section 27 of the Indian Arms Act, XI of 1878, the Governor General in Council is pleased to exempt the retainers of Raja Baldeo Singh of Awa in the

all prohibitions and directions contained in Sections 13, 14, 15 and 16 of that Act, other than those referring to cannon, articles designed for torpedo service, war-rockets, and machinery for the manufacture of arms and ammunition, subject to such orders as the Local Government may issue regarding the number of retainers to be included within this order of exemption.

JUDICIAL.

The 19th February 1885.

No. 219.—ERRATUM.—In Home Department Notification No. 152, dated the 4th instant, appointing Mr. J. W. Smyth, C.S., to be an Additional Judge of the Punjab Chief Court, *vice* Mr. Burney, for J. W. Smyth read T. W. Smyth.

D. FITZPATRICK,
Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 14th February, 1885.

No. 311 G.—Thakur Lachman Singh is appointed on probation to be Attaché to the Governor-General's Agent in Rajpootana, with effect from the date of assuming charge.

The 17th February, 1885.

No. 326 G.—With reference to Foreign Department Notification No. 1397 G. of the 21st July, 1884, Mr. Dorabji Dinshaw, Consul for Portugal and Vice-Consul for Spain, at Aïen, resumed charge of his Office on the 22nd January, 1885.

The 18th February, 1885.

No. 333 G.—The promotions made in Foreign Department Notification No. 231 G., dated the 4th February, 1885, will take effect from the 25th December, 1884, instead of the 24th December, 1884, as previously notified.

H. M. DURAND,

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.—ACCOUNTS, &c.

Calcutta, the 19th February 1885

No. 927.—Monthly Preliminary Statement of Receipts and Payments at Civil Treasuries in India.

January 1885.

(Lakhs of Rupees.)

	IN JANUARY.		TO END OF JANUARY.		WHOLE YEAR.	
	1884-85.	1883-84.	1884-85.	1883-84.	Budget, 1884-85.	Actuals (Preliminary) 1883-84.
[For the explanation of these heads, see Gazette of India, dated 22nd December 1883, Part 1, page 497.]						
Civil Revenue.						
Land Revenue (including Land Revenue due to Irrigation)	3.70	3.72	15.78	16.28	22.40	22.74
Opium	79	88	7.27	7.94	8.59	9.56
Salt	58	56	5.31	5.11	6.33	6.14
Stamps	32	32	2.97	2.88	3.53	3.50
Excise	36	34	3.31	3.14	3.80	3.83
Provincial Rates	48	46	2.22	2.24	2.74	2.81
Customs	9	10	72	86	1.29	1.19
Assessed Taxes	1	1	48	50	52	52
Forest (Madras and Bombay only)	3	3	22	21	38	34
Registration	2	2	23	22	26	26
Tributes from Native States	20	20	48	49	70	72
Other Civil Revenue	23	28	2.30	2.37	3.00	3.05
TOTAL CIVIL REVENUE DIRECTLY BROUGHT TO ACCOUNT : GROSS	6.81	6.92	41.29	42.24	53.54	54.66
Civil Expenditure.						
Interest on Ordinary Debt and that on Productive Public Works	—23	—26	—3.05	—3.06	—3.80	—3.74
Opium	—12	—10	—2.82	—1.72	—2.35	—1.86
Exchange on transactions with London	—37	—69	—2.36	—3.25	—3.72	—3.93
Other Civil Expenditure	—1.57	—1.61	—16.00	—15.64	—21.08	—19.73
TOTAL CIVIL EXPENDITURE DIRECTLY BROUGHT TO ACCOUNT : GROSS	—2.29	—2.66	—24.23	—23.67	—30.95	—29.26
Extraordinary Receipts	...	...	...	...	...	...
Receipts into Civil Treasuries from, and issues from those Treasuries to, the following Non-Civil Departments.						
[The figures comprising Revenue, Expenditure, and Debt and Remittance transactions.]						
Post Office (Net : + Receipts more,—Receipts less, than issues)	+9	+6	+53	+39	+47	+44
Forest, Telegraph, Marine (Net as above)	—1	+2	—16	—9	—10	—8
Guaranteed and subsidized Railways (Net as above)	+52	+53	+3.82	+3.04	+4.65	+4.75
Do. Repayment of surplus profits, &c.	—1	...	—44	—58	—45	—59
Military Receipts	+5	+8	+50	+67	+88	+83
Military Issues	—1.01	—1.04	—9.82	—9.69	—11.88	—11.66
Public Works Department—						
State Railways Receipts	+31	+27	+2.72	+1.93	} —2.09	+2.42
" " Issues	—43	—43	—4.45	—3.46		—4.53
East Indian Railway Receipts	+34	+43	+3.17	+3.82	} +2.45	+4.54
" " Issues	—13	—12	—1.24	—1.37		—1.62
Ordinary Branches Receipts	+21	+22	+1.41	+1.47	} —4.96	+1.90
" " Issues	—55	—60	—5.38	—5.64		—7.31
TOTAL NON-CIVIL DEPARTMENTS	—62	—58	—9.28	—8.61	—11.03	—10.91
Civil Debt and Remittance Transactions.						
Permanent Debt (Net : + Receipts more,—Receipts less, than payments)	...	—1	—2	+2.50	+2.50	+2.50
Mint Certificates and Bullion Advances (Net as above)	...	+25	+23	+4	+3	+33
Council Bills paid (including Telegraphic) at Rs 10 per £	—1.23	—2.40	—9.18	—14.79	—16.50	—18.84
Other Debt heads (Net as above)	—2	+13	+64	+25	+98	—10
TOTAL DEBT AND REMITTANCE TRANSACTIONS	—1.25	—2.03	—8.33	—12.00	—12.99	—16.11
GRAND TOTAL RECEIPTS AND ISSUES	+2.65	+1.65	—55	—2.04	—1.43	—1.62
Opening Cash Balance in Treasuries and Presidency Banks	10.00	11.13	13.20	14.82	12.44	14.82

CODES.

The 16th February 1885.

No. 806.

CIVIL PENSION CODE.

Definitions, Page VIII.

Strike out the following words in the definition of "Continuous Service and Continuous Active Service" on this page:—

"in Chapter V of the Civil Leave Code."

No. 826.—ERRATUM.—In Notification No. 508, dated the 30th January 1885, published at page 155 of Part I of the *Gazette of India* of the 31st idem, in line 1, column 2, for 1875, read 1885.

SEPARATE REVENUE.

STAMPS.

NON-JUDICIAL, EXEMPTIONS, &c.

The 20th February 1885.

No. 901.—Whereas under the terms of Notification in the Department of Finance and Commerce, No. 3646, dated 13th November 1880, the Municipality of Bronch has paid Rs75 as composition for the stamp duty chargeable on a sum

of Rs55,000 which the said Municipality was authorised to borrow and which has been raised by the issue of the undermentioned debentures dated the 1st October 1884, *viz.*:—

Nos. 1 and 2	at Rs2,500 each.
Nos. 3 to 12	" " 500 "
No. 13	" " 1,000 "
Nos. 14 and 15	" " 500 each.
Nos. 16 to 26	" " 100 "
Nos. 27 and 28	" " 500 "
Nos. 29 and 30	" " 200 "
Nos. 31 to 34	" " 100 "
No. 35	" " 1,000 "
Nos. 36 to 39	" " 500 each.
No. 40	" " 600 "
No. 41	" " 1,000 "
Nos. 42 to 45	" " 500 each.
No. 46	" " 5,000 "
Nos. 47 to 49	" " 500 each.
Nos. 50 to 59	" " 200 "
Nos. 60 to 79	" " 500 "
No. 80	" " 3,500 "
Nos. 81 to 88	" " 1,000 each.
No. 89	" " 500 "

Therefore in exercise of the powers conferred by section 8 of the Indian Stamp Act, 1879, the Governor General in Council has exempted the above-mentioned debentures from the payment of any stamp duty with which they might otherwise be chargeable whether in issue, renewal, or subdivision.

D. BARBOUR,

Secretary to the Government of India.

MILITARY DEPARTMENT.

Fort William, the 14th February, 1885.

FIELD OPERATIONS.

No. 88.—Under instructions from Her Majesty's Government, the Right Hon'ble the Governor General in Council has been pleased to direct that a force, as detailed below, be despatched for service at Suakim:—

Strength of the Force.

- 1 Regiment Native Cavalry.
- 3 Regiments Native Infantry.
- 1 Company Sappers and Miners.

Detailed as follows.

- 9th Bengal Cavalry.
- 15th Bengal Infantry (Doodhiana Sikhs).
- 17th Bengal Infantry (Loyal Poorbeahs).
- 28th Bombay Infantry.
- 1 Company Madras Sappers and Miners.

The appointments herein made will have effect from the dates on which the officers named may enter upon the duties thereof:—

Colonel J. Hudson, c.b., Bengal Staff Corps	Commanding.
Captain C. W. Muir, Bengal Staff Corps	Aide-de-Camp.
Major R. McG. Stewart, Royal Artillery	Assistant Adjutant-General and Quartermaster-General.
Major N. R. Stewart, Bengal Staff Corps	Deputy Assistant Adjutant and Quartermaster-General.
Major A. J. Pearson, Royal Artillery	Deputy Assistant Adjutant and Quartermaster-General (for Intelligence).
Major J. Cook, Bengal Staff Corps	Brigade-Major.

Medical Department.

- Brigade-Surgeon J. H. Thornton, m.b., Bengal Medical Service,—Principal Medical Officer.
- Brigade-Surgeon J. C. Morice, Bengal Medical Service.
- Surgeon G. A. Emerson, Bengal Medical Service.
- Surgeon J. F. MacLaren, m.b., Bengal Medical Service.
- Surgeon W. A. Sykes, Bengal Medical Service.
- Surgeon W. G. P. Alpin, Bengal Medical Service.

Veterinary Department.

- Veterinary Surgeon G. J. R. Rayment, Veterinary Department
- Veterinary Surgeon.

Military Accounts Department.

Lieutenant H. F. S. Ramsden, Madras Staff Corps . . . Field Paymaster.

Commissariat Department.

Lieutenant-Colonel E. S. Walcott, Bombay General List,

Infantry	Senior Commissariat Officer.
Captain H. C. E. Lucas, Bombay Staff Corps . . .	Sub Assistant Commissary-General.
Captain G. B. E. Radcliffe, Bombay Staff Corps . . .	Sub Assistant Commissary-General.

Provost Establishment.

Captain H. R. L. Holmes, Bengal Staff Corps . . . Provost Marshal.

The following regulations are laid down for the guidance of all concerned :—

1. Native regiments will go as far as possible on their full established strength of 550 of all ranks for cavalry, and 832 for infantry, *minus* the depot establishment.
2. Commanding officers will be held responsible that none but officers, men, and followers in every way fit for field service accompany the regiment. After eliminating sickly men they will complete with volunteers from other regiments. Regiments giving volunteers will recruit to complete establishment.
3. Each Native regiment will be completed to its full establishment of eight British officers, including those who may be recalled from furlough, and who may be expected to join.
4. Followers, servants, baggage, camp equipage, and kit for staff and departmental officers will be according to the Kabul scale, but without grass-cutters, except as hereinafter laid down for the cavalry. Regiments will be completed with full establishments in their respective presidencies. Each regiment to take field mule transport. Entrenching tools to be taken according to Kabul scale.
5. Depots for regiments will be formed under the orders of the Commander-in-Chief in India and of the Governments of Madras and Bombay, in accordance with G. O. No. 39 of 1884.
6. Mule *puckals* will be supplied as follows :— ;
8 per company, with 10 spare *mussucks*.

Chaguls—

1 per man for cavalry to be supplied by the Commissariat Department.

7. Native infantry will draw extra batta ; and free rations will be allowed to all ranks of cavalry and infantry while on foreign service.

Troops not provided by the State with carriage will draw extra batta from date of marching. Non-batta drawing regiments will draw extra batta from date of embarkation.

8. Each Native commissioned officer of the cavalry will be required to keep up one pony and one attendant as syce and grass-cutter, whether he takes one or two horses ; and the non-commissioned officers and privates to maintain one pony and one grass-cutter for every two horses.

9. Compensation at the rate of Rs per mensem will be allowed to the Native officers for each bargheer sanctioned by existing regulations, if maintained by them, out of which sum they will pay the share of the grass-cutter's wages and provide the stable gear. A similar amount will be deducted from the pay of the bargheer sowars.

10. As during a sea voyage the officers, non-commissioned officers, and sowars of the cavalry would be unable to make the requisite provision for the forage of their horses, whilst difficulty might be experienced in this respect during a portion of their service on land, the forage of the horses and of the mules or ponies accompanying will be undertaken by the Commissariat, with such assistance as the regiments and followers may be enabled to render after landing.

11. All ranks will be required, as at present, to maintain one efficient horse ; but the Native commissioned officers will be allowed forage for two horses each, if they desire to take a second charger.

12. The grass-cutters will be paid by the troops as usual ; but the ponies will receive grain, and, when necessary, hay, free of cost. Both grass-cutters and animals will be employed to procure forage when obtainable, and must be held disposable for all purposes.

13. The Native commissioned and non-commissioned officers of cavalry will continue to subscribe to the regimental funds to such extent as commanding officers may deem necessary within the limits prescribed by regulations.

14. They will continue to supply themselves with the ordinary clothing, equipment, saddlery, and stable gear for their horses ; but articles of extra clothing which may be necessitated by any speciality of climate or service will be issued free of cost.

15. All casualties of horses or ponies arising from neglect or from causes evidently unconnected with the particular nature of the service must, as usual, be replaced by the regiments concerned. Each troop will be allowed to embark and maintain two chunda horses, to meet casualties, which will be rationed free of cost.

16. All casualties among horses or ponies fairly attributable to, or connected with, the service, including those from accident on boardship or during embarkation or disembarkation, will, if there has been no proved neglect, be replaced by Government, or compensation will be allowed under the rules in Army Regulations for India, Volume II.

17. During the continuance of the arrangement under which the supply of grain and forage to the cavalry is undertaken by the State, the pay of the several grades will be as follows:—

		Rates of pay.		
		Rs.	a.	p.
1	Ressaldar, 1st class	300	0	0
1	" 2nd "	250	0	0
1	" 3rd "	200	0	0
1	Ressaldar, 1st "	150	0	0
1	" 2nd "	135	0	0
1	" 3rd "	120	0	0
1	Woodie Major	150	0	0
2	Jemadars, 1st class	80	0	0
2	" 2nd "	70	0	0
2	" 3rd "	60	0	0
	Duffadars	30	0	0
	Trumpeters	25	0	0
	Sowars	20	0	0

18. Public followers, except those engaged on salaries specifically laid down for the occasion, will receive an addition of 50 per cent. on pay and batta, in addition to free rations, while on foreign service.

19. The sanctioned followers paid by the troops will receive from Government free rations and such extra pay as may be necessary to put them on a par with the public followers of a similar class.

20. The scale of rations for Native troops on shore will be that laid down in Article 533, Army Regulations, India, Volume V, extracted in the margin. An allowance of 1 lb. of meat per man weekly is also authorized.

Atta, 2 lbs., or rice	1½ lbs.
Dhal	4 oz.
Ghee	2 "
Salt	1 "
Onions	1 "
Pepper	½ "
Chillies	1 "
Turnerie	1 "

When meat, even on special occasions, is issued, the ration of atta or rice is to be reduced one-half.

No claim for pecuniary compensation can be admitted, if through accident any part of the above authorized scale of rations is not forthcoming.

The issue of tea and sugar should be confined to the cases of sick and wounded for whom medical officers may authorize it, and for the rest of the troops on special occasions of fatigue, exposure, or bad climate, when recommended by the principal medical officer. On such occasions 2 oz. of sugar and ½ oz. of tea per man may be issued.

Tobacco can only be issued on payment at the rate of 1 oz. per man per diem, the price charged being the first cost to Government, without any addition on account of carriage or losses.

The scale of rations for followers will be as follows:—

Wheat flour, or rice	1½ lbs.
Dhal	4 oz.
Ghee	1 "
Salt	2 "

21. On land the forage allowance for each horse will be 8 lbs. of such grain as may be procurable, with 1½ lbs. of hay when green forage is not procurable, or otherwise as may be ordered. The allowance for ponies will be one-half of the forage ration of a horse.

22. British officers will be allowed to draw rations for themselves, servants, and horses from the Commissariat Department, payment being made as laid down in Article 1677, Army Regulations, India, Volume V—

Officers—

	Rs.	a.	p.
Rations for themselves, daily, exclusive of rum or extra supplies	0	8	0
Rations for their servants, monthly	2	8	0
Rations for each horse, daily	0	8	0

23. Transport will be charged for at the rates laid down for the Afghan war, namely, 8 annas and 7 annas per diem for camels and mules, respectively.

24. The officer of the Military Account Department with the force will act as Field Paymaster, and have charge of the treasure chest.

25. Pay lists of Native troops will be forwarded, as soon after the first of each month as may be possible, through the Field Paymaster, to the Pay Examiner of the presidency to which the troops belong. Officers commanding regiments will draw monthly from the field pay office such sums as may be required for the pay of themselves and their men, after making provision to meet family allotments and remittances, fund subscriptions, &c., the amount of which allotments, &c., they will debit themselves with in their general states.

26. The pay bills of all staff and departmental officers will be adjusted by the Field Paymaster.

27. All payments to Native troops will be made in the coinage of the country or British money, their pay and allowances being converted into that coinage, under the orders of the General Commanding, at the rates of exchange current in Egypt.

28. Officers commanding Native regiments and detachments detailed for service are directed to at once draw and distribute three months' pay in advance to their respective corps.

29. Staff and departmental establishments may receive similar advances, not including command, contract, office and staff allowances.

30. The family remittances of Native troops will be arranged for, as usual, by officers commanding regiments. Officers and non-commissioned officers, requiring remittances to India, may remit the whole or any part of their pay to India at par on paying the amount to the Field Paymaster, who is authorized to grant transfer remittance receipts on any treasury in India. As an alternative arrangement, officers may leave with the Presidency Paymaster, Bombay, an allotment roll stating the amount they wish to be paid monthly, and the person to whom it should be remitted. That officer will then make the necessary remittance monthly and he will furnish the Field Paymaster with a list of the sums thus allotted, to enable the latter to make the necessary deduction from officers' pay bills. Remittances to England for the benefit of their families may be made through the Field Paymaster at the official rate of exchange, to the extent of one-half of an officer's clear receipts, exclusive of office and contingent allowances.

The 20th February 1885.

No. 90.—PUNJAB FRONTIER FORCE—

2nd Punjab Infantry.

Captain J. M. D. Lewes, Wing Officer, to officiate as Wing Commander, *vice* Major A. D. Strettell, transferred to the 5th Punjab Infantry.

Lieutenant H. A. Browning, Officiating Wing Officer, to be Wing Officer.

5th Punjab Infantry.

Major A. D. Strettell, Wing Officer and Officiating Wing Commander, 2nd Punjab Infantry, to be Wing Commander, *vice* Major A. I. Shepherd, deceased, and to officiate as 2nd-in-Command during the absence on furlough of Major C. McK. Hall.

Captain J. E. Mein, Wing Officer, to officiate as Wing Commander, during the time Major Strettell may officiate as 2nd-in-Command.

Lieutenant L. E. Cooper, Wing Officer and Officiating Quartermaster, to be Quartermaster.

5th Goorkha Regiment.

Lieutenant J. M. Stewart, Officiating Wing Officer, on probation, 1st Sikh Infantry, to be Officiating Wing Officer, on probation, *vice* Lieutenant J. O. S. Fayerer, on furlough.

FURLOUGH AND LEAVE.

No. 91.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Lieutenant-Colonel R. F. Firth, Bengal S. C., Commandant, 10th Bengal Infantry, (p. a.) for one year and 87 days, under rule IX of the regulations of 1868.

Lieutenant-Colonel T. B. M. Glascock, Bengal S. C., Squadron Commander and 2nd-in-Command, 1st Bengal Cavalry, (p. a.) for one year and 183 days, under rule IX of the regulations of 1868.

Major C. E. Hallett, Bengal S. C., Deputy Assistant Commissary-General, 1st class, (p. a.) for one year and 178 days, under rule IX of the regulations of 1868.

Captain C. W. J. Hingston, Bengal S. C., Wing Officer, 10th Bengal Infantry, Adjutant, Rangoon Volunteer Rifle Corps, (p. a.) for two years, under rule IX of the regulations of 1868.

Captain J. Corse-Scott, Bengal S. C., Wing Commander, 4th Bengal Infantry, (p. a.) for one year, under rule IX of the regulations of 1868.

Captain S. B. Beatson, Bengal S. C., Squadron Officer, 11th Bengal Lancers, (p. a.) for two years, under rule I of the regulations of 1875.

Brigade-Surgeon A. H. Hilson, M. D., (p. a.) for 230 days under rule IX of the regulations of 1868.

Surgeon-Major R. Harvey, M. D., Professor of Midwifery, Medical College, and Obstetric Physician to the College Hospital, Calcutta, (p. a.) for 200 days, under rule IX of the regulations of 1868.

Surgeon R. J. Taaffe, M. B., (p. a.) for one year, under rule I of the regulations of 1875.

Conductor E. Bredin, Ordnance Department, (m. c.) for one year, under rule VI of the regulations of 1875.

Sub-Conductor G. J. Stokes, Ordnance Department, (m. c.) for one year, under rule VI of the regulations of 1875.

LONDON GAZETTE.

No. 92.—The following extracts are published for general information :—

"London Gazette," dated the 16th January, 1885, page 234.

India Office, 16th January, 1885.

The Queen has been pleased to approve of the undermentioned Admissions to Her Majesty's Indian Medical Service :—

To be Surgeons. Dated 1st April, 1884 :—

BENGAL.

John Henry Tull Walsh.

Harold Hendley.

George Herbert Fink.

Thomasie Edaljie Banatvala.

William George Patrick Alpin.

"London Gazette," dated the 20th January, 1885, page 275.

WAR OFFICE, PALM MALL,
20th January, 1885.

MEMORANDA.

The undermentioned Deputy-Commissaries and Honorary Lieutenants of the Bombay Establishment to be Honorary Captains :—

Edward T. Fox. Dated 31st August, 1884.

Patrick Devitt. Dated 31st August, 1884.

INDIAN LOCAL SERVICE.

To be removed to the Unemployed Supernumerary List :—

Major-General George Gibson Anderson, Bengal Infantry. Dated 24th December, 1884.

PENSIONS.

No. 93.—Sub Conductor John Winn, Commissariat Department, is transferred to the pension establishment.

PROMOTIONS.

No. 94.—Under the provisions of the Royal Warrant of the 10th November, 1881, the names of the following officers are moved up on the Indian Gradation List :—

Placed on the list of Major-Generals.

Colonel G. C. Hankin, Bengal Staff Corps.

Placed on the list of Lieutenant-Colonels.

Major (now Lieutenant-Colonel) D. Anderson, Bengal Staff Corps ;

In consequence of the transfer to the Unemployed Supernumerary List of Major-General G. G. Anderson, Bengal Infantry, on the 24th December, 1884.

No. 95.—The following promotions are made, subject to Her Majesty's approval:—

BENGAL ARMY.

To be Lieutenant-Colonels.

Major and Brevet Lieutenant-Colonel Arthur William Roberts, General List, Cavalry,—20th February, 1885.

Major and Brevet Lieutenant-Colonel Adam Wilson Graham, General List, Infantry,—20th February, 1885.

Major and Brevet Lieutenant-Colonel William Henry Beckett, General List, Infantry,—20th February, 1885.

No. 96.—COMMISSARIAT DEPARTMENT—

Conductor Thomas Donlea to be Deputy Assistant Commissary.

Sub Conductor Henry Goodman to be Conductor;

Sergeant Owen Rice Ryall to be Sub Conductor;

With effect from the 2nd November, 1884, *vice* Assistant Commissary and Honorary Lieutenant C. O'Gorman, pensioned.

Sub Conductor John Blake to be Conductor;

Sergeant Henry William Mortimer to be Sub Conductor;

With effect from the 11th November 1884, *vice* Conductor R. J. Dennett, pensioned.

No. 97.—NATIVE ARMY—

32nd Bengal Infantry.

In G. G. O. No. 9 of 1885 for "Dew Sing" read *Dewa Sing*.

No. 98.—PUNJAB FRONTIER FORCE—

5th Punjab Infantry.

Jemadar Sarmast to be Subadar; Color Havildar Harif to be Jemadar, *vice* Subadar Juma Khan, Bahadur, deceased,—24th November, 1884.

No. 99.—VOLUNTEER CORPS—

East Indian Railway Volunteer Rifle Corps.

Captain Allen Mears to be Major, *vice* Major P. Corbet, retired.

RETIREMENTS.

No. 100.—The undermentioned officers are permitted to retire from the service, with effect from the dates specified, subject to Her Majesty's approval:—

Colonel John Thornhill Bushby, Bengal S. C.,—5th February, 1885.

Colonel Montagu Mitchell Procter, Bengal S. C.,—24th February, 1885.

No. 101.—VOLUNTEER CORPS—

East Indian Railway Volunteer Rifle Corps.

Major Pryce Corbet is permitted to retain his rank and wear the uniform of his corps on retirement.

REWARDS.

No. 102.—ORDER OF BRITISH INDIA—

The Governor General in Council is pleased to admit the undermentioned Native Officer to the 2nd class of the Order of British India from the 22nd October, 1884:—

BOMBAY.

To the 2nd Class, with the title of Bahadur.

Subadar-Major Bhondoo Khan, 23rd Native Infantry, *vice* pensioned Subadar-Major Shaikh Mohideen, Bahadur, deceased.

MILITARY WORKS DEPARTMENT.

PROMOTIONS.

No. 103.—The reversion of Lieutenant W. Huskisson, R.E., from Assistant Engineer, 1st grade, to Assistant Engineer, 2nd grade, notified in G. G. Orders Nos. 569 and 602 of 1884, is cancelled.

No. 104.—With reference to G. G. O. No. 569 of 1884, the dates of the undernoted reversions are altered as specified below:—

NAME	REVERSION.		Date altered to
	From	To	
Captain F. B. G. D'Aguilar, R.E.	Exe. Engr., 2nd grade, sub. <i>pro tem.</i>	Exe. Engr., 3rd grade	16th August, 1884.
Captain H. B. Rich, R.E.	Exe. Engr., 4th grade, sub. <i>pro tem.</i>	Asst. Engr., 1st grade	16th August, 1884.
Lieutenant H. F. Chesney, R.E.	Asst. Engr., 1st grade, sub. <i>pro tem.</i>	Asst. Engr., 2nd grade	24th September, 1884.

No. 105.—The following promotions and reversions are made, with effect from the dates specified:—

NAME.	From	To	Nature of promotion.	With effect from
Captain E. Glennie, R.E.	Exe. Engr., 4th grade	Exe. Engr., 3rd grade	Sub. <i>pro tem.</i>	18th Aug., 1884.
Captain E. Glennie, R.E.	Exe. Engr., 3rd grade, sub. <i>pro tem.</i>	Exe. Engr., 4th grade	Reversion	16th Aug., 1884.
Captain C. H. Brookes, R.E.	Exe. Engr., 4th grade	Exe. Engr., 3rd grade	Permanent	8th Oct., 1884.
Captain G. Davidson, R.E.	Asst. Engr., 1st grade	Exe. Engr., 4th grade	Permanent	8th Oct., 1884.
Lieutenant H. H. Barnett, R.E.	Asst. Engr., 2nd grade	Asst. Engr., 1st grade	Permanent	8th Oct., 1884.
Captain E. Glennie, R.E.	Exe. Engr., 4th grade	Exe. Engr., 3rd grade	Sub. <i>pro tem.</i>	8th Oct., 1884.
Lieutenant J. A. Campbell, R.E.	Asst. Engr., 1st grade	Exe. Engr., 4th grade	Sub. <i>pro tem.</i>	8th Oct., 1884.
Lieutenant H. F. Chesney, R.E.	Asst. Engr., 2nd grade	Asst. Engr., 1st grade	Sub. <i>pro tem.</i>	8th Oct., 1884.
Lieutenant H. F. Chesney, R.E.	Asst. Engr., 1st grade, sub. <i>pro tem.</i>	Asst. Engr., 2nd grade	Reversion	14th Nov., 1884.
Lieutenant J. G. Lintons, R.E.	Asst. Engr., 2nd grade	Asst. Engr., 1st grade	Permanent	18th Nov., 1884.

MARINE DEPARTMENT.**APPOINTMENTS.**

No. 3.—The services of Captain E. H. Ensor, Indian Marine, are placed at the disposal of the Chief Commissioner of British Burmah, for employment as Officiating Port Officer, Bassein.

No. 4.—Mr. Lawrence Knox to be an Assistant Engineer in the Indian Marine, with effect from the 7th August, 1883.

LEAVE.

No. 5.—Captain M. Bean, Indian Marine, is granted furlough out of India for 9 months, with the usual subsidiary leave, under rules I and XI of Marine Circular No. 16 of 1884.

No. 6.—Mr. W. A. Dangerfield, Agent for Government Consignments, Calcutta, is granted leave on private affairs for 6 months, under Section 130, Civil Leave Code.

G. CHESNEY,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.**NOTIFICATIONS.**

Fort William, the 11th February 1885.

No. 50.—Mr. J. W. Wilson, Accountant, 2nd Grade, at present temporarily employed in the Stores Department of State Railways, is transferred to Class IV of the Superior Revenue Establishment of State Railways, Stores Department.

No. 51.—Mr. P. L. Rooper, Assistant Engineer, 2nd Grade, North-Western Provinces and Oudh, is transferred to State Railways, and his services placed at the disposal of the Director General of Railways.

The 16th February 1885.

No. 52.—Mr. T. Hamilton, Executive Engineer, 1st Grade, Hyderabad, is permitted, at his own request, to retire from the service, with effect from the 20th February 1885.

The 20th February 1885.

No. 53.—Public Works Department Notification No. 1, dated 2nd January 1885, transferring Mr. J. Barron, Executive Engineer, 2nd Grade, sub. *pro tem.*, temporarily to State Railways, and placing his services at the disposal of the Director General of Railways, is cancelled.

W. S. TREVOR, Colonel, R.E.,

Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 21, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 25th October 1884.

From the 22nd November next; till further notice, the complete *Gazette of India* will be published at Calcutta. After the 15th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurumtollah Street, Calcutta.

	R	s.	p.
Subscription for <i>Gazette</i> and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
For a single copy of the <i>Gazette</i>	0	8	0
For a single copy of the Supplement	0	4	0
Postage on single copies varies according to weight.			

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the *Gazette*. The annual subscription for the two Parts is Rs 5 per annum, payable in advance. When sent by post, Rs 2-8 per annum additional will be charged for postage.

By an order of Government, all subscriptions must be paid *in advance*.

Applications for the supply of the *Gazette* on the *public service* should be addressed to the Home Department.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week after the day on which it is due.

NOTICE.

Attention is invited to the Circular Memo. of the Government of India, Home Department, of February 1870, directing that all Notifications or other matter intended for insertion in the *Gazette of India* should be delivered at the Publisher's Office not later than 2 P.M. on Friday afternoon, and that matter sent after that hour must be certified to be extremely urgent in order to ensure its appearance in the next day's *Gazette*.

Matter intended for publication in the Supplement should reach the Press not later than Thursday.

E. J. DEAN,

Publisher, Gazette of India.

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 17th February 1885.

No. 495.—Mr. J. E. Brown is appointed an Assistant Surveyor, 3rd Grade, Survey of India, to fill an existing vacancy, with effect from the date on which he reports himself for duty.

The 19th February 1885.

No. 496.—The services of the undermentioned officers having been placed at the disposal of the Foreign Department for employment with the Afghan Boundary Commission, they are placed on

the supernumerary list, with effect from the dates mentioned against them :—

Major J. Hill, R.E., Officiating Deputy Superintendent, 3rd Grade, from 26th August to 23rd September 1884.

Captain St. G. C. Gore, R.E., Officiating Deputy Superintendent, 4th Grade, from 26th August 1884.

Lieutenant the Hon'ble M. G. Talbot, R.E., Officiating Deputy Superintendent, 4th Grade, from 26th August 1884.

Major T. H. Holdich, R.E., Officiating Deputy Superintendent, 2nd Grade, from 16th September 1884; and the following temporary promotions are made in connection with the promotions and reversions which were announced in Notifications No. 472, dated 9th October 1884, No. 474, dated 10th October 1884, No. 476, dated 20th October 1884, and No. 491, dated 4th February 1885, in the Survey of India Department :—

Major J. R. Wilmer, S.C., Officiating Deputy Superintendent, 3rd Grade, to officiate as Deputy Superintendent 3rd Grade, from 26th August to 23rd September 1884, both days inclusive.

Captain the Hon'ble M. G. Talbot, R.E., Officiating Deputy Superintendent, 4th Grade, to officiate as Deputy Superintendent, 4th Grade, from 26th August to 23rd September 1884, both dates inclusive.

Lieutenant F. B. Longe, R.E., Officiating Deputy Superintendent, 4th Grade, to officiate as Deputy Superintendent, 4th Grade, from 26th August to 2nd December 1884, both dates inclusive.

Captain R. A. Wahab, R.E., Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 4th Grade, from 26th August 1884, until further orders.

Major S. H. Cowan, S.C., Officiating Deputy Superintendent, 3rd Grade, to officiate as Deputy Superintendent 3rd Grade, from 16th September to 2nd December 1884, both dates inclusive.

Mr. W. H. Patterson, Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 4th Grade, from 16th September 1884, until further orders.

Major J. Waterhouse, S.C., Deputy Superintendent, 3rd Grade, to officiate as Deputy Superintendent, 2nd Grade, from 3rd December 1884, until further orders.

Major E. H. Steel, S.C., Deputy Superintendent, 4th Grade, to officiate as Deputy Superintendent, 3rd Grade, from 3rd December 1884, until further orders.

Mr. F. W. Kelly, Assistant Superintendent, 1st Grade, to officiate as Deputy Superintendent, 4th Grade, from 3rd December 1884, until further orders.

G. C. DEPRÉE, Colonel,
Surgeon General of India.

TELEGRAPH DEPARTMENT.

NOTIFICATION.

Calcutta, the 18th February 1885.

Offices reported opened and closed during the month of January 1885 :—

Name of Station.	Where situated.	Date.	REMARKS.
<i>Departmental.</i>			
Bandra . . .	Bombay . . .	2 Jan. . .	Opened.
Chunar . . .	N.-W. Provinces . . .	4 " . .	Ditto.
Deogarh . . .	Bengal . . .	4 " . .	Ditto.
Erode . . .	Madras Presdy. . .	1 " . .	Ditto.
Hapur . . .	N.-W. Provinces . . .	5 " . .	Ditto.
Jalalpur Jattan . . .	Punjab . . .	20 " . .	Ditto.
Moriani (Railway Station.) . . .	Assam . . .	1 " . .	Ditto.
Ponani . . .	Madras Presdy. . .	26 " . .	Ditto.
Rupar . . .	Punjab . . .	27 " . .	Ditto.
Savantvadi . . .	Bombay Presdy. . .	6 " . .	Ditto.
Sirsa . . .	Punjab . . .	20 " . .	Ditto.
<i>Railways, &c.</i>			
Dibrugarh Town . . .	Assam Ry. . .	28 Jan. . .	Closed.
Paleza Ghât . . .	Bengal & N.-W. Ry. . .	8 " . .	Opened.
Nawabganj . . .	Barcilly - Pili- bheet State Ry. . .	1 " . .	Ditto.
Pilibheet . . .	Barcilly - Pili- bheet State Ry. . .	1 " . .	Ditto.
Şoron . . .	Cawnpore - Ach- nera State Ry. . .	1 " . .	Ditto.
Adiyannapilli . . .	Kurnool Canal . . .	17 " . .	Ditto.
Dhur . . .			
Jupad . . .			
Kumbhalapilli . . .			
Kurnool . . .	S. P. & D. Ry. . .	1 " . .	Ditto.
Snakesela . . .			
Satghara . . .			
Govindapur . . .			
Haripal . . .	Tarkeshwar Ry. . .	1 " . .	Ditto.
Nalikul . . .			
Singhur . . .			
Tarkeshwar . . .			

A. J. LEPPOC CAPPEL.

Director General of Telegraphs in India.

AGENT TO THE GOVERNOR GENERAL FOR BILUCHISTAN, P. W. D.

NOTIFICATIONS.

Quetta, the 6th February 1885.

No. 2.—With reference to Military Works Department Notification No. 1 of the 16th January 1885, Lieutenant H. Appleton, R.E., Assistant Engineer, 1st Grade, reported his departure from the Quetta Division on the forenoon of the 26th December 1884.

No. 3.—With reference to Military Works Department Notification No. 2 of the 16th January 1885, Lieutenant J. G. Lutyens, R.E., Assistant Engineer, 2nd Grade, reported his arrival in the Biluchistan Agency on the afternoon of the 22nd December 1884. Lieutenant Lutyens, R.E., is posted to the Bolan Division, which he joined on the afternoon of the 29th December.

No. 4.—With reference to Military Works Department Notification No. 6, dated the 26th January 1885, Lieutenant A. D. G. Shelley, R.E., Assistant Engineer, 2nd Grade, is posted to the

Quetta Division, which he joined on the afternoon of the 13th January 1885.

W. P. TOMKINS, Major, R.E.,

*Secy. to the Agent to the Govr. Genl.
for Biluchistan, P. W. D.*

AGENT TO THE GOVERNOR GENERAL
FOR RAJPUTANA.

NOTIFICATION.

Abu, the 14th February 1885.

No. 381 G.—Lieutenant-Colonel A. Conolly and Lieutenant G. A. Collins, respectively, made over and received charge of the Office of Political Superintendent, Hilly Tracts, Meywar, on the forenoon of the 30th of January 1885.

By Order,

W. H. C. WYLLIE.

1st Asst. Agent to the Govr. Genl.

CHIEF COMMISSIONER OF AJMERE-
MERWARA.

NOTIFICATIONS.

Mount Abu, the 10th February 1885.

No. 143.—The powers of a Magistrate of the 2nd Class and Subordinate Judge of the 2nd Class, conferred by this Office Notification No. 103, dated the 29th February 1880, on Raja Bahadur Mangal Singh, C.I.E., Honorary Magistrate of Bhinai, are hereby extended to the Estate of Deolia.

No. 146.—In exercise of the powers vested in him by Section 6 of the Scheduled Districts Act, XIV of 1874, the Chief Commissioner is pleased to invest the undermentioned gentlemen with the powers of an Honorary Magistrate of the 2nd Class, to be exercised within the municipal limits of the town of Ajmere:—

1. Rai Seth Chand Mal.
2. Rai Seth Samir Mal.
3. Rai Bahadur Seth Mul Chund.
4. Kazi Muniruddin.
5. Mir Nizam Ali.
6. R. S. Whiteway, Esq., C.S.
7. J. W. Fordham, Esq.
8. The Revd. James Gray.
9. T. Harris, Esq., B.A.
10. Lala Bansi Dhar.
11. Seth Ghisu Lal.
12. Sheikh Ibrahim.

The Chief Commissioner is further pleased to confer on any three or more of the abovenamed gentlemen sitting together as a Bench, the powers to try summarily, under Section 261 of Act X of 1882, the offences mentioned in that section. Such powers to be exercised within the limits above specified.

The 12th February 1885.

No. 152.—Lieutenant-Colonel F. W. Boileau, Cantonment Magistrate of Deolia, is invested

with the powers of a Magistrate of the 2nd Class, as described in Section 32 of the Criminal Procedure Code, and with the powers of a Sub-Judge of the 2nd Class to hear suits of a civil nature up to Rs500 in value.

No. 156.—The Chief Commissioner of Ajmere-Merwara is pleased to extend the provisions of Section 34 of Act V of 1861 to the towns of Pokhur, Kekri, and Bhinai, in the Ajmere District.

The 13th February 1885.

No. 159.—Mr. F. L. Reid, Principal, Ajmere Government College, and Inspector of Schools, is granted fifty-one days' privilege leave, with effect from the 13th February 1885, or such subsequent date as he may avail himself of the same.

By Order,

W. H. C. WYLLIE,

1st Asst. to the Chief Commr.

RESIDENT IN MYSORE.

NOTIFICATION.

Bangalore, the 11th February 1885.

The following list of Court holidays for the Civil and Military Station of Bangalore for the year 1885 having been approved by the Resident in Mysore, is hereby published for general information.

These days shall accordingly be observed as close holidays by the Civil Court, Civil and Military Station of Bangalore.

List of Holidays.

January 1st to 3rd, both days inclusive.	Christmas holidays.
January 12th and 13th	Pongal.
February 13th	Sivarathri.
February 18th	Ash Wednesday.
February 19th	His Highness the Maharaja's Birthday.
February 28th	Holi Feast.
March 2nd to April 18th, both days inclusive.	Annual recess of six weeks and Easter holidays.
May 14th	Ascension Day.
May 25th	Empress' Birthday.
August 24th and 25th	Sravani.
September 11th	Gauri.
September 12th	Ganesha.
September 23rd	Ananta Chaturdasi.
October 7th	Mahalaya Annavasya.
October 9th	Commencement of Dasara.
October 17th	Maha Navami.
November 5th	Dipavali.
November 7th	Balipadyami.
November 9th	Prince of Wales' Birthday.
December 23rd to 31st, both days inclusive.	Christmas holidays.

All Sundays in the year.

NOTE.—Gentu New year's Day, Sriramanavami and His Highness the Maharaja's Installation Day are omitted as they occur during the annual recess.

Vijayadasami is omitted as it falls on Sunday.

By Order,

L. ANANTASAMI RAO,

Registrar.

By Order,

A. H. T. MARTINDALE,

Assistant to the Resident.

**Statement of Transactions of District Savings Banks and State Railway Provident
Institutions for the quarter ending 31st December 1884.**

PROVINCE.	Number of Banks open.	DEPOSITS.			WITHDRAWALS.			BALANCE.		
		No.	Amount.		No.	Amount of Principal.			Amount, Interest.	
			R	a.		p.	R			a.	p.	R	a.	p.
India	10	1,467	65,999	7 4	301	66,342	7 6	340 6 2	5,97,707	1 10
Central Provinces	18	672	76,520	10 11	282	85,477	2 7	354 9 4	5,76,015	8 0
British Burmah	14	534	32,812	5 0	314	44,640	1 4	116 12 0	2,37,080	1 9
Assam	11	441	38,574	2 7	251	40,379	12 4	167 6 6	3,92,266	15 8
Bengal	47	2,404	2,70,148	5 7	1,593	2,46,128	11 8	1,142 5 1	27,09,562	5 9
N.-W. Provinces and Oudh	49	3,893	1,94,771	15 7	1,215	2,23,331	2 10	807 1 0	18,28,524	2 2
Punjab	25	793	1,36,099	12 9	459	1,36,721	3 4	601 9 4	10,81,800	13 1
Berar	6	140	17,652	1 7	114	12,554	5 4	18 8 3	2,01,481	4 5
State Railways	11	29,603	1,65,170	1 5	1,137	74,047	6 9	437 8 8	11,70,318	13 7
TOTAL	191	30,947	10,06,148	14 9	5,666	9,29,622	5 8	3,986 2 4	87,94,757	2 3

J. WESTLAND,
Comptroller General.

CALCUTTA,
The 14th February 1885.

Statement of the Affairs of the Bank of Bengal for the week ending 17th February 1885.

[illegible]

BANK OF BENGAL,
Calcutta, 19th February 1885.

D. FRASER,
Offg. Chief Acctt.
Rate for Demand Loans 6 per cent.
Percentage 57 3,

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.		CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Department.	Under Assay.	Held on account of the Cur- rency De- partment.	
	SILVER TENDER- ED, ESTI- MATED VALUE.					
1885.						
Feb. 9		23,515		8,93,561	1,16,90,910	89,02,103
" 10		43,533	1,80,469	7,00,253	1,18,90,240	90,42,900
" 11		38,108	1,44,259	5,69,581	1,19,52,563	91,02,115
" 12		38,211	1,98,236	8,60,061	1,21,37,767	93,17,997
" 13		35,278	1,87,060	1,80,437	1,23,28,827	94,72,999
" 14				1,80,437	1,23,28,827	

R. V. RIDDELL, *Major, R.E.,*
Mint Master.

CALCUTTA MINT.
The 16th February 1885.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Calcutta, the 20th February 1885.

No. 23.—Mr. P. Duncan, Executive Engineer, 3rd Grade, is transferred from the Indus Valley State Railway to the Jhansi-Manikpore State Railway.

No. 24.—With reference to Public Works Department Notification No. 46, dated the 5th February 1885, Mr. H. B. Addis, Executive Engineer, 2nd Grade, is posted to the Cuddapah-Nellore State Railway.

F. S. STANTON, *Colonel, R.E.,*
Director General of Railways.

*Report of a Deserter from the 1st Battalion,
Royal Welsh Fusiliers, dated at Dum-Dum, this
18th day of February 1885.*

Number, Rank, and Name,— No. 3168, Private Josiah Burker.	At what Place Enlisted,— Wrexham.
Age,—22 years 6 months.	Parish and County in which Born,—Aldershot, Hamp- shire,
Size,—5 feet 9 inches.	Marks,—None.
Colour of—	Trade,—Labourer.
Complexion, fresh; Hair, light brown; Eyes, blue.	Coat or Jacket,—
Date of Desertion,—12th February 1885.	Waistcoat,—
Place of Desertion,—Dum- Dum.	Breeches or } Regi- Trowsers,— } mental.
Date of Enlistment,—24th January 1881.	REMARKS,— Under 5 years' service.

C. ELGEE, Colonel,
Comdg. 1st Battn., R. W. Fusiliers.

*Report of a Deserter from the 1st Battalion,
Royal Welsh Fusiliers, dated at Dum-Dum, this
13th day of February 1885.*

Number, Rank, and Name,— No. 3261, Private Urias Roberts.	At what Place Enlisted,— Wrexham.
Age,—27 years 2 months.	Parish and County in which Born,—Flint, Flintshire.
Size,—5 feet 6 inches.	Marks,—Rather bandy- legged. A wheel, A. D., and a cross tattooed left forearm.
Colour of—	Trade,—Labourer.
Complexion, sunburnt; Hair, light brown; Eyes, brown.	Coat or Jacket,—
Date of Desertion,—12th February 1885.	Waistcoat,—
Place of Desertion,—Dum- Dum.	Breeches or } Regi- Trowsers,— } mental.
Date of Enlistment,—31st May 1881.	REMARKS,— Under 4 years' service.

C. ELGEE, Colonel,
Comdg. 1st Battn., R. W. Fusiliers.

CURRENCY NOTES.

The following Currency Notes of the Govern-
ment of India are stated to have been lost, and
payment of their value has been claimed by the
persons whose names are placed against the num-
bers. Any other person having these Notes in
his possession, or claiming a right to them, is
warned to communicate at once with the under-
signed:—

Lahore Circle.

NOTES WHOLLY LOST OR DESTROYED.

Regt. No.	No. of Notes.	Value.	Name of Claimant.
		Rs	
37	E 19 - 77627	50	Oree Lal Din Dial, Bankers,
	E 20 - 29630	100	9th Lancers, Umbalia.

LAHORE,

The 14th February 1885.

W. H. EGERTON,

* for Deputy Commr. of Currency.

NOTICE.

Sealed tenders will be received by the Superin-
tendent, Reserve Remount Depôt, Hosûr, in the
Madras Presidency, for the supply of iron hurdles

as described below, up to Monday, the 2nd March
1885:—

300 iron hurdles, each 10 feet long × 4 feet
high above ground, and 18 inches below
ground, with 6 horizontal tabular rails, all one
inch external diameter, side $1\frac{1}{2}$ inch × $\frac{5}{8}$
inch, and middle upright for each hurdle $1\frac{1}{2}$
inch × $\frac{5}{8}$ inch flat.

The tenders should clearly state the cost of each
hurdle delivered at the Malloor Railway Station,
on the Bangalore Branch Line of the Madras
Railway, and the time during which the hurdles
will be delivered after the notice of acceptance of
tender has been made known to the tenderer.

H. W. RAWLINS, Lieut.-Colonel,
Offg. Supdt., Reserve Remount Depôt.

REMOUNT DEPÔT, HOSÛR,
The 2th February 1885.

WANTED

A Translator and Clerk of the Court for the
Court of the Commissioner of Ajmere. Salary
Rs80 per mensem.

Applicants must possess a thorough knowledge
of English and Vernacular and be able to trans-
late, efficiently, Urdu into English, and *vice versa*.
He must also have a good knowledge of the ordi-
nary law books and Acts of the Legislature.

Preference will be given to a person who has
passed the Pleader's Examination.

Application stating age with copies of testimoni-
als to be addressed to the undersigned.

No replies will be sent to rejected candidates.

W. O'NEAL,

Supdt., Commr.'s Office, Ajmere-Merwara.

AJMER,

The 9th February 1885.

POST OFFICE.

NOTIFICATIONS

Calcutta, the 16th February 1885.

From the 1st March 1885, applications will be
received from the public at all Head Post Offices
and Selected Sub-Offices to telegraph particulars
of foreign money orders to the Indian offices* of
exchange. The orders regarding
which particulars are so tele-
graphed will then be advised by
post to the foreign countries of
payment, by the Indian offices of exchange, in the
same way as ordinary foreign money orders. It
should be clearly understood that the orders will
be telegraphed only as far as the Indian office of
exchange and not to the foreign country of pay-
ment.

2. These rules will apply to money orders
drawn upon any of the foreign countries, British
Colonies or Native States with which foreign
money orders are exchanged by India. The gen-
eral conditions governing the issue of foreign
money orders, as detailed in the *Postal Guide*,
will apply to orders advised by telegraph, except
that the charges on such orders will be as detailed
below.

3. The remitter of a foreign money order, advised by telegraph under these rules, will be required to pay:—

- The equivalent in Indian currency of the value of the order, according to the schedule in force for the time being;
- A fixed charge of Rs 2 for the cost of the telegraphic advice;
- Commission on the value of the order, at the prescribed rate. For foreign orders expressed in sterling, this rate of commission will be—

	Rs.	a.
On sums not exceeding £ 2	0	8
" " exceeding £ 2 but not exceeding £ 5	0	12
" " " £ 5 " " " £ 7	1	2
" " " £ 7 " " " £ 10	1	8
" " " £ 10 " " " £ 12	1	14
" " " £ 12 " " " £ 15	2	4
" " " £ 15 " " " £ 17	2	10
" " " £ 17 " " " £ 20	3	0

4. The remitter of a foreign money order advised by telegraph under these rules, should fill up the prescribed form and write across it the words "*By Telegraph*." The form should then be presented at the Post Office, together with the amount payable.

5. Foreign sterling money orders drawn upon the United Kingdom, the continent of Europe, America or the West Indies, cannot be advised by telegraph from any Post Office *on the day fixed for the departure of the foreign mail steamer from Bombay*.

A. U. FANSHAWE,

Offg. Director General of the Post Office of India.

Unclaimed Letters held in the Calcutta General Post Office on 17th February 1885.

Abdon, C. J.	Holla, L. W.	Solomon, D. H.
Carnell, A. M.	Mills, F.	Sterenson, T. B.
Cunning, B. H.	Powell, H. J.	"Victoria Agency,"
Dugal & Co.	Prinsep, T. A.	Manager.
de Jong, Phillip T.	Saldana, Frank.	Williams, Fleetwood.
Hills, Archibald.	Saunple, Professor.	

Letters marked "Care of Post Office."

Alexander, D. D.	Grün, Otto.	Polley, W. A.
Allen, Alex.	Haughton, G.	Pyllas, Michel G.
Amoss, Thomas.	Heberlet, A. F.	Q. R.
Brigg, E. A.	Hodgson, Richard.	Kadu, Mounr. T.
Brior, Sarah.	Hordero, Mrs. Peter.	"Rox."
Burke, Sir Henry.	Huddleston, John E.	Richardson, H.
Curke, Miss A. L.	Leslie.	Robertson, Wm.
Caulpoora, Mr.	Huhne, John.	Rose, A. M.
Carlisle, J. T.	Hull, W.	Schwartz, C. E. B.
Carr, Mrs. S. F.	Isaac, Mr.	Shaw, Nathaniel L.
Clerley, Marie.	Jonasin, T.	Smith, T. E.
Clift, Mrs. H. W.	Lancez, Mrs. W.	Spear, George.
Cochrane, Benjamin.	Latham, Thomas.	Stanislaus, Walter.
Cowan, Andrew.	Lee, Miss C.	Steel, John
Dalzell, John.	Lubbach, J. B.	Thomassen, E. S.
Dellinjalily, Middle.	Matson, E.	Thruswell, A.
Victoria.	Murdoch, Mrs.	Towers, Miss Russ.
DeBonnières, Robert.	"Naini."	Trafford, H. G.
Duffy, K.	O'Connell, Condr.	Wood & Co., L.
Edwards, Rev. Bombay.	Owen, L. C.	Wells, Hubert H. G.
Ferguson, Alex. A.	Pate, Fred.	Young, W.
Fisher, Augustan.	Peters, L. C.	Zillhardt, Mrs.
Gmy, Mrs. Marrie.		

Registered Letters.

Agency, A. S.	Crosthwaite, Mrs. M.	Partridge, B. J.
Beale, H. W.	Dixon, Geo.	Penzell, Ferdinand.
Brunno, A.	Meik, J.	Reid, Edward.

E. HUTTON,

Presidency Postmaster, Calcutta.

Unclaimed Letters held in the Barrackpore Post Office on the 16th February 1885.

Arnold, Rev. S.	Farrer, H.	Horden, Major A.
Begum, M. S.	Forbes, Mrs. W. A. G.	Landale, J.
Brind, M. J.	Francis, J. W.	Seay, Sergts. Mess.
Burdett, Rev. W. J.	Henderson, G.	Sittlebut, J.
Butterwick, Mrs.	Honby & Co., James	Smith, J.
ase Financera.	(regtd. letter).	
Chatterji, Bro Ram.		

A. P. GHOSAL,
Postmaster, Barrackpore.

The 21st February 1885.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date of closing at Calcutta.	Per Steamer
Madras and Ceylon	1885. 21st Feb.	P. & O. Str. Ancona.
Foreign Mails via Bombay	24th "	From Bombay.*
Do. Book Post and Pattern Packets	23rd "	From Bombay.
Rangoon and Monbuen	25th "	Str. Kaypoofana.
Chittagong, Akyah, Kyauk Phyo, Sandoway, and Rangoon	25th "	Str. Cocanada.
Madras, Ceylon, Batavia, Singapore, and China	27th "	French Str. Tibre.

* Also for Cape Colonies through United Kingdom, also via Aden for Lamoo, Mombaza, Zanzibar, Kilwa Kivuhoo, Lindi, Mozambique, Delagou Bay, and Cape Colonies can be for wanted.

N.B.—The letter-box will close at 7 p.m. precisely, after which hour, foreign letters, fully prepaid and bearing an extra postage-stamp of four (4) annas on each cover, will be received up to 7-30 p.m.

E. HUTTON,

Presidency Post Master.

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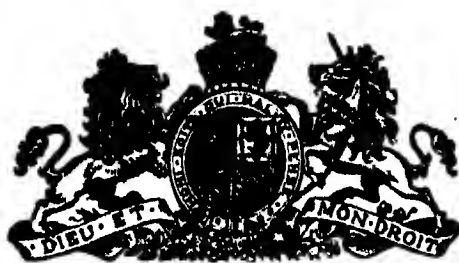
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PART III.

Advertisements and Notices by Private Individuals and Corporations.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. 103838, of the 4 per cent. of 1842-43, for Rs1,000, standing in the name of Prosunno Coomar Mitter, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

PROSUNNO COOMAR MITTER,
Shilpon, Howrah.

Stolen

The Government Promissory Note No. 060886, of the reduced 4 per cents. of 1879, for Rs500, standing in the name of Sukhatara Bannerjee, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietress.

SASIPADA BANNERJEE,
Father of the proprietress.

BARANAGAR,
The 18th February 1885.



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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 6th February, 1885, and is hereby promulgated for general information:—

ACT NO. V OF 1885.

An Act to amend the Indian Ports Act, 1875.

WHEREAS it is expedient to amend the Indian Ports Act, 1875, in manner hereinafter appearing; It is hereby enacted as follows:—

1. In section 42 of the said Act, for the words
Amendment of section 42 of the Indian Ports Act, 1875. “Conservator of every port to which such order relates, and in the custom-house, if any, of every port subject to this Act” the following shall be substituted, namely:—“Conservator, and at the custom-house, if any, of every port to which such order relates.”

2. To the fourth paragraph of section 47 of the said Act the following shall be added, namely:—
Addition to section 47 of the same Act. “The expenses aforesaid shall also include the pensions, allowances and gratuities of persons who have been employed under this Act in the port, or such portion of

those pensions, allowances and gratuities as the Local Government may by rule determine.”

3. After the fifth paragraph of the same section the following shall be inserted and shall be deemed to have been inserted from the date on which the said Act came into force, namely:—“With the previous sanction of the Local Government the authorities of any port may, from time to time, contribute a sum from the Port Fund Account of that port for all or any of the purposes mentioned in section sixty.”

“The sum so contributed shall, if, and so long as, the Local Government so directs, be in substitution of any Hospital Port-dues imposed under section fifty-nine at that port.”

4. To the third paragraph of section 59 of the same Act the following shall be added, namely:—
Addition to paragraph 3, section 59, of the same Act. “The Local Government may, from time to time, by notification in the official Gazette, cancel any such order.”

5. In the entry relating to the Cuttack ports in Part II of the First Schedule I, Part II, of the same Act, for the words “not exceeding six annas per hundred mounds” the following shall be substituted, namely:—“Not exceeding four annas per ton.”

R. J. CROSTHWAITE,*

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Third Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 6th February, 1885, and is hereby promulgated for general information :—

ACT NO. VI OF 1885.

An Act to amend Act XXII of 1881.

WHEREAS it is expedient to amend the Excise Act, 1881 ; It is hereby enacted as follows :—

1. In section 28 of the said Act, after the words
Amendment of section 28 of said Act. "ten rupees" the words "or who receives an annual remuneration equivalent to such salary" shall be inserted.

2. In the first paragraph of section 29 of the
Amendment of section 29 of same Act. same Act, after the word "salary" the words "or annual remuneration" shall be inserted ; and in the second paragraph of the same section, after the word "rupees" the words "unless the Excise-officer is himself such an officer of police" shall be inserted.

New section inserted after section 34 of same Act.

" 34A. The Local Government may, from time to time, invest either by name or in virtue of his office—
Power to invest police-officers with powers of Excise-officers.

" (a) any police-officer with the powers conferred on Excise-officers by section 27 of this Act ;

" (b) any police-officer in charge of a station or any police-officer of or above the grade of head-constable or sergeant with the powers conferred on Excise-officers by sections 28 and 29 of this Act.

" Every officer so invested shall, for all purposes connected with the exercise of these powers, be deemed to be an Excise-officer within the meaning of this Act."

* New section substituted for section 47.

3. In the same Act, after section 34, the following section shall be inserted :—
4. For section 47 of the same Act the following shall be substituted, namely :—

" 47. A Court shall not take cognizance of an offence punishable under any one of the following sections, namely, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-one, forty-two and forty-three, except on the complaint or report of the Collector or an Excise-officer ; and a Court shall not take cognizance of any offence punishable under this Act unless the prosecution is instituted before the expiry of six months next after the commission of such offence."

R. J. CROSTHWAITE,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 20th February, 1885, and is hereby promulgated for general information :—

ACT NO. VII OF 1885.

An Act to amend the law in force in the Páñch Maháls.

WHEREAS it is expedient that the law in force in the territory comprised in the Páñch Maháls should, on and from the first day of May, 1885, be the same as the law in force in the district of Kaira, in the Bombay Presidency, and that the said territory should, on and from that day, cease to be a scheduled district under the Scheduled Districts Act, 1874, and the Laws Local Extent Act, 1874; It is hereby enacted as follows :—

Short title. 1. This Act may be called the Páñch Maháls Laws Act, 1885.

2. (1) Save and except the enactments specified in the schedule hereto annexed, all enactments which, on the first day of May, 1885, are in force in the district of Kaira and not in the Páñch Maháls shall be deemed to come into force in the Páñch Maháls on that day.

(2) All enactments which on that day are in force in the Páñch Maháls and not in the district of Kaira shall be deemed to be repealed on and from that day in the Páñch Maháls.

3. All proceedings commenced before any authority in the Páñch Maháls before the first day of May, 1885, and still pending on that day, shall be disposed of by such authority as the Local Government may direct, and, save as aforesaid, shall be carried on as if this Act had not been passed.

4. On and from the first day of May, 1885, the Páñch Maháls shall cease to be a scheduled district; and in Part II of the First Schedule to the Scheduled Districts Act, 1874, and in the same Part of the Sixth Schedule to the Laws Local Extent Act, 1874, the words "The Páñch Maháls" shall be repealed. XIV of 1874 XV of 1874

THE SCHEDULE.

ENACTMENTS EXCEPTED FROM THE OPERATION OF SECTION 2.

Acts of the Governor General in Council.

Number and year.	Title.	Extent of exception.
VIII of 1870	For the prevention of the murder of female infants.	The whole.
XXI of 1881	To amend the law providing for the relief of Thákurs in the districts of Broach and Kaira.	The whole.

Acts of the Governor of Bombay in Council.

Number and year.	Title.	Extent of exception.
V of 1862	For the preservation of the Bhágdári and Narwádári Tenures.	The whole.
V of 1879	To consolidate and amend the law relating to Revenue-officers and the Land-revenue in the Presidency of Bombay.	Section 85 and last fifteen words of section 58.

R. J. CROSTHWAITE,
Offg. Secretary to the Govt. of India.
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ART V.

Bills introduced into the Council of the Governor General for making
Laws and Regulations or published under Rule 22.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

BENGAL TENANCY BILL, 1885, No. III.

The following Further Report of the Select Committee on the Bill to amend and consolidate certain enactments relating to the Law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 13th February, 1885 :—

WE, the undersigned Members of the Select Committee to which the Bill to amend and consolidate certain enactments relating to the law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal was referred, have considered the Bill and the papers noted in the schedule annexed, and have now the honour to submit this our further Report.

It must be understood that in referring to the provisions of the Committee we state the view of the majority where there has been any difference of opinion.

CHAPTER PRELIMINARY

2. We have made some slight amendments in, and additions to, this chapter, but few of them call for notice here.

The definition of "estate" and that of "propriety" which is dependent on it, have given rise to the erroneous supposition that it was intended to exclude Government tenants from the operation of the Bill. We have now so amended the definitions as to remove any misapprehension on this point.

3. As it seems reasonable that the provisions of the Bill contained in sections 53 to 64, both inclusive, sections 72 to 75, both inclusive, Chapter III and Schedule III should apply to money recoverable under any enactment as if it was rent, we have added to the definition of "rent" a clause providing that "rent" shall in those provisions of the Bill include such money.

CHAPTER II. CLASSES OF TENANTS.

CHAPTER III.

TENURE-HOLDERS.

5. We have in section 7 of this chapter included, among the matters to which a Court must have regard in enhancing the rent of a tenure-holder, the questions "whether the tenure was originally granted at a specially low rent for the purpose of reclamation" and "whether any fine or premium was paid on the creation of the tenure."

6. We have omitted section 8 of the Bill No. II, which provided that a Court should not enhance the rent of a tenure to more than double the previous rent.

7. We have in section 9 made the interval which must elapse between successive enhancements of the rent of a tenure the same as in the case of an occupancy-holding, namely, fifteen years.

8. We have omitted the provisions of this chapter specially applicable to patni tenures, and Chapter XVI, relating to summary sale of patni and other tenures for arrears, as we are, on further consideration, reluctant to interfere at present with the existing law regarding patni tenures, and are of opinion that any extension of the patni sale law to other tenures should be reserved for consideration in connection with the Bengal Registration Bill, to which we shall presently have to refer.

9. We have in sections 12 to 16 of the Bill so far altered the system of the registration of transfers of, and successions to, permanent tenures to provide merely for enabling the landlord to register such transfers instead of compelling him to do so.

The Bill in its previous stages provided for a compulsory system of registration by the landlord. This, it was objected, would not work satisfactorily, especially as the landlords of many tenure-holders are poor and ignorant persons, having no regular office and no means of establishing one or maintaining a suitable registry. At the same time it was pointed out that the establishment of an official registry would confer a great benefit on all concerned, and especially on the landlords, who might, if such a registry were established, be allowed to realize their rents by the process of summary sale which is now available only in the case of a limited class of tenures.

A Bill for the establishment of an official registry is at this moment before the Bengal Legislative Council, and the object we have set before ourselves in re-casting the portion of our Bill now under consideration has been to frame its provisions in such a manner as to secure to the Collector, who will be the officer entrusted with the preparation and maintenance of the official register, early and accurate information of all transfers and successions which may from time to time take place.

We have not overlooked the fact that substitution of official registration for registration in the landlord's sherista would deprive the landlords of the fees which it was proposed to allow them under the Bill as originally framed, and which, it is believed, they commonly realize at present, though in most cases without an warrant of law. We think that the fees prescribed by the Bill in its earlier stages may well be paid to the landlord, even though he is to be relieved of the duty of registration.

10. The provisions we have inserted in the Bill in order to give effect to these views are as follows:—

First, as regards voluntary transfers (section 12), the simplest plan has appeared to us to be to require that every such transfer shall be registered under the ordinary law relating to the registration of documents. It is understood that the Local Government will make all arrangements requisite for facilitating registration of such transfers. The parties applying for registration will be required to pay to the registering officer "the landlord's fee" and a process-fee for the service of notice on the landlord. When the registration has been completed, the registering officer will forward to the Collector the landlord's fee and a notice of the transfer containing all necessary particulars, and the Collector will thereupon cause the landlord's fee to be paid to the landlord and notice to be served upon him, at the same time taking any such steps as may be prescribed by the measure now pending before the Bengal Legislative Council for the entry of the transfer in his official register.

When a transfer takes place by sale in execution of a decree (sections 13 and 14), the procedure will be substantially the same, the notice and the fee being sent to the Collector by the Court, except that, following the lines of the Bill in its earlier stages, we have not provided for the payment of a fee to the landlord when the sale takes place in execution of a decree for arrears.

In the only remaining case of transfer, namely, that of transfer by summary sale, the Collector will have in his own possession all the information requisite for the purpose of registration.

11. When a succession in permanent tenure takes place, the party succeeding will be bound (section 15) to give notice to the Collector and pay to him the landlord's fee and the process-fee above referred to, and the Collector will then proceed as above described.

12. In order to compel a person succeeding to comply with the provisions of this section, we have retained, for the case of successions, the provision of section 18 of the Bill No. II, under which a person succeeding will be debarred from recovering his rent by suit, distraint or otherwise, until he has given the notice and paid the fees prescribed.

CHAPTER V.

OCCUPANCY-RAIYATS.

13. The first alteration in this chapter which appears to call for notice has reference to the area over which the status of settled raiyat is to hold good.

In the 11th paragraph of our first Report we referred to the inconvenience which might arise in certain exceptionally large estates from the status holding good over the whole estate, and this has given rise to considerable discussion. The Bengal Government, in the 22nd paragraph of its report of the 15th September, 1884, stated that "the majority of the officers consulted disapproved of the definition of 'settled raiyat' as given in the Bill," and that "the proposal which found favour was the elimination of the word 'estate' from the definition".

That Government, nevertheless, was of opinion that it was necessary to retain the word "estate" in order to meet the danger of the acquisition of the occupancy-right being prevented by shifting raiyats from one village to another within the estate.

It seemed to us that this danger was not so great as to justify the extension, over all portions of an estate of the status of "settled raiyat" acquired in one portion of it, since estates are frequently divided among numerous tenure-holders, who would have no opportunity of examining each other's books, or knowing anything about each other's raiyats. The danger in either direction is not serious, for in the vast majority of cases the raiyat is practically tied to his own village; and we felt, moreover, that by confining the status to the village we should be proceeding in closer conformity to the original conception of a khúdkásbt raiyat, which, as explained in the Statement of Objects and Reasons of the Bill, it has been always intended to keep in view.

14. We have in section 22 re-cast sections 28 and 29 of the Bill No. II so as to carry out more precisely the intention with which they were framed, and we have inserted a sub-section (2) providing that if the occupancy-right in land is transferred to a person jointly interested in the land as proprietor or permanent tenure-holder it shall cease to exist.

15. Sections 23 to 26 of the amended Bill take the place of sections 31 to 36 of the Bill No. II; but, except a saving of custom as regards the descent of the occupancy-right in section 26, the only important change they involve is the omission of all provisions regarding the transfer of the occupancy-right, which, apart from the matter of sale in execution of a decree for rent (dealt with in Chapter XIV), we now propose to leave to custom as under the existing law.

16. The reasons for and against the proposal to make the occupancy-right everywhere transferable by an express legislative enactment have been so fully discussed within the last three years, and are so well known to all interested in such matters, that we shall not lengthen this Report by attempting to recapitulate them. It is enough to say that the Government of Bengal, in their letter of the 15th of September last, proposed to leave the law relating to the transferability of the right for the present untouched in Behar, and that on a further consideration of the question we are of opinion that the most prudent course will be to omit the provisions relating to voluntary transfer altogether from the present Bill. This decision has enabled us to omit all reference to the question of pre-emption.

17. The 37th section of the Bill No. II, which provided that raiyats sub-letting their land should in certain cases be deemed to be converted into tenure-holders, has met with much adverse criticism, and we now propose to omit it.

The remaining provisions as to sub-letting we have relegated to Chapter IX, where they will be found with certain modifications and additions.

18. In regard to the enhancement of rent in the case of occupancy-rights the Government of Bengal made certain

* VI.—To recognize the principle that, in the absence of reason to the contrary, the Courts shall regard a rise in the price of staple food-grain as entitling the landlord to an enhancement of rent.

VII.—To fix the percentage by which the enhanced rent shall exceed the former rent at a definite proportion (one-half is suggested for consideration) of the percentage by which the enhanced prices exceed the former prices, the other portion going as an allowance for increased cost of production.

VIII.—To assign to enhancements on the ground of landlords' improvements a maximum limit of double the former rent.

IX.—To abandon the provision for enhancement on the ground of a "prevailing rate," experience having shown that no such rate exists, and that the position assigned to it in the present law has led to the construction of collusive and fictitious rates for the purpose of forcing up rents.

X.—To abandon fluvial action as a ground of enhancement of rent, but to recognize freedom of contract between landlord and raiyat in regard to new alluvium.

XI.—To withdraw the arbitrary limitations on enhancements by suit on account of a rise in prices, and to allow contracts for enhancement of rent out of Court up to a maximum limit of two annas in the rupee (12½ per cent) of the former rent, and for a minimum period of 15 years.

XII.—To withdraw all restrictions on freedom of contract in respect of the initial rent of all land which may lapse to the landlord from whatever cause.

XIII.—To re-introduce the provision that the rent of the occupancy or non-occupancy raiyat shall not exceed one-fifth of the value of the gross produce calculated in staple food-grains.

of Bengal made certain proposals in their letter of 15th September, 1884, which are summarised in the 84th paragraph of that letter as shown on the margin.*

In regard to VI and VII we said in paragraph 34 of our Report last year that in applying the proportion rule in the case of prices the question of making some deduction to cover the effect of increased prices on the cost of cultivation would receive further con-

sideration. The Government of Bengal recommended a deduction of one-half on this account.

We recognised the difficulty of making the Courts ascertain the actual cost of production, and as it was necessary to fix an arbitrary limit we have fixed the deduction at one-third as a general rule.

19. With reference to VIII we did not think we could justify any arbitrary limit in terms of a fractional proportion of the old rent being placed on enhancement when made on the ground of landlords' improvements.

20. We were unable to accept the proposal (IX) to abolish the prevailing rate as a ground of enhancement, inasmuch as this has, in one shape or another, been a ground of enhancement ever since the Permanent Settlement, and as it is the only means by which a landlord can remedy the effects of fraud or favouritism on the part of his agent or predecessors. In view, however, of the dangers which are said by competent authorities to arise from the artificial manufacture of rates, and from the very wide interpretation given to the term "places adjacent," we have somewhat modified the terms of the section, have limited enhancement to the rate ascertained to be the prevailing rate *in the village*, and have required that this rate should be determined with reference to the rates actually paid during a period of not less than three years before the institution of the suit.

21. We were not able to accept the proposal (X) to abandon fluvial action as a ground of enhancement.

22. On the other hand, we have accepted the proposal (XI) to limit enhancements by registered contract (except on the ground of improvement made by the landlord) to two annas in the Rupee (12½ per cent.) carrying with it in all cases a right to hold at the enhanced rent for 15 years, and we have at the same time struck out all the fractional limits placed on enhancement in Court by sections 44 (a), 45 (b) and 47 (b) of the Bill No. II.

23. The restrictions which it was proposed by section 42 to impose in certain cases on the initial rents payable by settled riyats have, we think, been shown to be impracticable, and we have therefore, as proposed by the Government of Bengal (XI), omitted the section.

24. We were not able to accept the recommendation numbered XIII.

25. The only other amendments in the chapter which appear to call for special notice are as follows:—

- (a) we have required Courts, in dealing with claims to enhancement on the ground of a rise in prices, to take decennial periods instead of quinquennial periods for the purposes of comparison, except when owing to the absence of price-lists or any other cause they find it impracticable to take such periods, in which case they may take any shorter periods;
- (b) we have amended section 39 so that the price-lists prepared under it shall be merely presumptive evidence instead of being conclusive, as provided in the corresponding provision of the Bill No. II. The Bengal Government are of opinion that their arrangements are not at present so perfect as to justify these lists being made conclusive evidence;
- (c) we have in section 40 included among the matters to be taken into consideration by an officer commuting rent the charges incurred by the landlord in respect of irrigation under the system of rent in kind and the arrangements made on commutation for continuing those charges.

CHAPTER VIII.

GENERAL PROVISIONS AS TO RENT.

26. We have omitted from the section (50) which enacts the well-known presumption arising from holding at a rent unchanged for 20 years the sub-section which made the presumption applicable to produce-rents, as opinions generally were opposed to it.

27. We have, in section 52, providing for the alteration of rent on the ground of an alteration in the area of the holding, assimilated the provisions of the two clauses (a) and (b), which provide respectively for increase and reduction; and we have inserted the following new sub-section to guide the Courts in cases where there may be a dispute as to the area for which the tenant has been paying rent:—

"In determining the area for which rent has been previously paid, the Court shall, if so required by any party to the suit, have regard to—

- "(a) the origin and conditions of the tenancy; for instance, whether the rent was a consolidated rent for the entire holding;

- " (b) whether the tenant has been allowed to hold additional land in consideration of an addition to his total rent or otherwise with the knowledge and consent of the landlord ;
- " (c) the length of time during which the tenancy has lasted without dispute as to rent or area ; and
- " (d) the length of the measure used or in local use at the time of the origin of the tenancy as compared with that used or in local use at the time of the institution of the suit."

We have also brought the section under the general rule that the Court shall not fix a rent which would be unfair or inequitable.

28. We have substituted for the section of the Bill No. II regulating the instalments in which rent is to be payable the following simpler provision, namely :—

" 53. Subject to agreement or established usage a money-rent payable by a tenure-holder or raiyat shall be paid in four equal instalments falling due on the last day of each quarter of the agricultural year " ;

and to prevent raiyats being harassed by successive suits for arrears, when by agreement or custom a larger number of instalments than four may be established, we have inserted in Chapter XIII a section (147) enacting in effect that such suits shall not be instituted against a raiyat oftener than once in three months.

29. We have made certain amendments in the division of the chapter relating to receipts and accounts, but the only one calling for special notice is the insertion of a new section (59) requiring the Local Government to provide and keep on sale forms of receipts and accounts. It will be for the landlords to choose whether they will use those forms, but we believe they will be found convenient.

30. In pursuance of the policy of the Bengal Act for the registration of proprietors, we have inserted the following section :—

" 60. Where rent is due to the proprietor, manager or mortgagee of an estate, the receipt of the person registered under the Land Registration Act, 1876, as proprietor, manager or mortgagee of that estate or of his agent authorized in that behalf shall be a sufficient discharge for the rent ; and the person liable for the rent shall not be entitled to plead in defence to a claim by the person so registered that the rent is due to any third person.

" But nothing in this section shall affect any remedy which any such third person may have against the registered proprietor, manager or mortgagee."

31. We have likewise modified in some particulars the provisions relating to the deposit of rent, but need only mention the provision that the deposit shall be made in the Court having jurisdiction to entertain a suit for the rent, and the limitation of the second ground on which an application to deposit rent may be made to cases where the tenant has reason to believe, owing to a tender having been refused or a receipt withheld on a previous occasion, that the landlord will not be willing to receive the rent or grant a receipt.

32. We have omitted the second sub-section of section 77 of the Bill No. II, which enacted that, when the right, title and interest of a tenant is brought to sale in execution of a decree obtained by a person other than the landlord, the landlord shall be entitled to have his rent paid first out of the sale-proceeds, and we have so re-cast the section as to make it clear that in the case of a tenure-holder, raiyat at fixed rates or occupancy-raiyat the landlord's remedy for arrears will be sale and not ejectment, and that the arrears will be a first charge on the tenure or holding.

33. We have substituted for section 79 of the Bill No. II a section (67) providing that an arrear of rent shall bear simple interest at the rate of 12 per cent. per annum from the expiration of that quarter of the agricultural year in which the instalment falls due.

34. To meet those cases in which transfer without the landlord's consent is a valid custom, we have provided in section 73 that, until notice of such a transfer is duly served on the landlord, the transferor and transferee shall be jointly and severally liable for arrears of rent accruing after the transfer.

CHAPTER IX.

MISCELLANEOUS PROVISIONS AS TO LANDLORDS AND TENANTS.

35. We have in section 79 provided that a non-occupancy raiyat shall be entitled to construct a well for the irrigation of his holding. A well constructed under this provision will be an

improvement within the meaning of the Act, and the raiyat will on being ejected be entitled to receive compensation for it. The high importance of facilitating and encouraging the construction of all works of irrigation in this country with a view to the prevention of famine points to the necessity of this.

36. We have inserted a new section (84) giving power to landlords to acquire by compulsory sale, through the Civil Court and at a price to be fixed by the Court, any land in their estate required for building purposes or for religious, charitable or educational objects. The necessity of some such power, especially with a view to provide building sites either for new tenants or in cases of diluvion, has been strongly urged upon us. We have guarded the section against abuse by requiring the certificate of a Collector as to the sufficiency of the reason before action can be taken under it.

37. We have inserted a section (85) providing that if a raiyat sub-lets otherwise than by a registered instrument the sub-lease shall not be valid against his landlord unless made with his landlord's consent, that a sub-lease by a raiyat shall not be admitted to registration if it purports to create a term exceeding nine years (seven years was the longest term for which an occupancy raiyat could sub-let under section 38 of the Bill No. II) and that where a raiyat has without his landlord's consent granted a sub-lease by an instrument registered before the commencement of the Act the sub-lease shall not be valid for more than nine years from the commencement of the Act.

38. In dealing with surrender and abandonment the only changes made by us which need here be noticed are the provisions which we have inserted to check collusive surrender or abandonment in fraud of the rights of third parties. The necessity for this was brought to notice in paragraph 69 of the Bengal Government's letter of 15th September, where it is shown that riyats not unfrequently sub-let the whole or a portion of their holdings in consideration of a large bonus for a term of years. To leave the interests of sub-lessees in such cases entirely at the mercy of the sub-lessor in collusion with his landlord would do serious practical harm. We have therefore provided (section 86 (6)) that the surrender of a holding which is subject to a registered incumbrance shall not be valid without the consent of the incumbrancer and the landlord, and in case of abandonment we have provided (section 87 (4)) that the sub-lease shall only be avoided after the sub-lessee has had the opportunity of taking over for the unexpired period of his sub-lease the full rights and liabilities of his lessor in regard to the rent of his entire holding. These provisions appear to us to present the only method by which protection can be given to the sub-lessee without injury to the landlord or without risking the conversion of these sub-leases into permanent transfers. In the case of sale in execution of a decree for rent, the sub-lessee has the same protection as other incumbrancers under Chapter XIV.

39. We have in section 88 provided that a division of rent shall not be valid as against the landlord without his consent in writing. This we understand to be the existing law.

40. We have amended section 90 so as to make it clear that a landlord is not entitled to enter on and measure land exempt from the payment of revenue.

41. We have in section 92 substituted the acre for the standard bighá as the official standard of measurement, and have empowered a Court or Revenue-officer to direct, where such a course may seem more convenient, that a measurement shall be made by any other specified standard.

CHAPTER X.

RECORD-OF-RIGHTS AND SETTLEMENT OF RENTS.

42. In the Bill No. II the two processes known as the record-of-rights and the settlement of rents were dealt with separately, but it seemed to us more convenient that they should be amalgamated, and we have accordingly given to the Revenue-officer who is appointed to settle disputes during the operation of recording rights a similar power to settle disputes regarding rents.

We have, however, provided for two distinct kinds of settlement. Under the ordinary settlement, the officer will only have the power to settle rents when a settlement of land-revenue is being made or a question between the landlord and tenant arises, and such rents as he settles will generally be fixed for a term of years; in other cases his recorded entries will only have a presumptive value; he can, moreover, only reduce rents on the grounds under which reduction is demandable in the Civil Courts. Under the special settlement, which will only be undertaken with the previous sanction of the Government of India, and which is meant to be applied only in circumstances in which the operation of the ordinary law is likely to prove insufficient, the Settlement-officer will have power to settle all rents, and will, moreover, have

power to reduce rents on other grounds than those ordinarily applicable. We think that in the exceptional cases in which it may be necessary to have recourse to this procedure the Government should have power to go to the root of the matter, and to put its settlement on a thoroughly stable footing.

TABLES OF RATES.

43. We have decided, in deference to the opinion of many experienced officers and with the consent of the Government of Bengal, to omit the chapter (XI of Bill No. II) providing for the preparation of tables of rates. It was evident that the procedure would only be made use of in rare and exceptional cases, and a more effectual method of treating these cases is provided in the Settlement chapter.

CHAPTER XI.

RECORD OF PROPRIETORS' PRIVATE LANDS.

44. The only amendment calling for notice in this chapter is the insertion of a provision in section 116, that nothing in the chapter (VI) relating to non-occupancy-raiyats shall apply to a proprietor's private lands. This merely expresses what was always intended, though by an oversight it was not previously provided for.

CHAPTER XII.

DISTRAINT.

45. We have inserted two sections of some importance at the end of this chapter.

The first (141) provides that when the Local Government is of opinion that in any local area or in any class of cases it would, by reason of the character of the cultivation or the habits of the cultivators, be impracticable for a landlord to realize his rent by an application to the Court under this chapter, it may by order authorize the landlord to distrain by himself or his agent; but that a landlord so distraining shall forthwith give notice to the Court, and that the Court shall thereupon depute an officer to take charge of the produce distrained, and proceed thereafter as if he had distrained under the ordinary procedure. The other section (142) added to this chapter empowers the High Court to make rules regulating the procedure under it.

CHAPTER XIII.

JUDICIAL PROCEDURE.

46. Section 147 has already been noticed (*supra* paragraph 28).

47. We have in section 148 added to the sections of the Civil Procedure Code, which are not to apply to rent-suits, section 326, empowering the Court to authorize the Collector to stay an execution sale of land in certain cases.

48. We have in section 153 excepted from the rules restricting appeals in rent-suits cases in which a question of the amount of rent annually payable by the tenant has been determined.

49. We have omitted section 172 of the Bill No. II, which required all mutual claims between the landlord and tenant as such to be inquired into and determined in every suit and proceeding for ejectment.

CHAPTER XIV.

SALE FOR ARREARS UNDER DECREE.

50. We have added to the "protected interests" in section 160—

"(e) the right of a non-occupancy-raiyat to hold for five years at a rent fixed under Chapter VI by a Court or under Chapter X by a Revenue-officer."

The section as it stood would probably have been construed to cover such cases, but we think it well to leave no room for doubt on the point.

51. We have, in order to shorten proceedings, inserted in section (163) a clause enacting that in cases under this chapter the order of attachment and the proclamation of sale required by section 287 of the Civil Procedure Code shall be issued simultaneously.

52. We have, at the suggestion of our honourable colleague Bábú Peári Mohan Mukerji, inserted a new section (174) allowing a judgment-debtor to apply to set aside a sale of his tenure or holding, on depositing in Court within thirty days from the date of sale for payment to the decree-holder the amount recoverable under the decree with costs, and for payment to the purchaser a sum equal to 5 per cent. of the purchase-money. Applications under section 311 of the Code of Civil Procedure to set aside sales cause expense and annoyance to the decree-holder and auction-purchaser. It is believed that they are often instituted merely with a view to recovering the tenure or holding which has been sold, and it is anticipated that, if a judgment-debtor is allowed to recover his property by depositing after the sale the amount decreed against him, the number of these applications will be considerably diminished.

CHAPTER XV.

CONTRACT AND CUSTOM.

53. A question having been raised as to how far section 210 of the Bill No. II, which was intended to have retrospective effect, should be allowed such effect, we have carefully considered each provision of that section, and have come to the conclusion that some of those provisions ought, with reference to this point, to be treated differently from others. The way in which we propose to treat the matter will be best seen from the new section we now propose, which runs as follows:—

Restrictions on exclusion of Act by agreement.

"178. (1) Nothing in any contract between a landlord and tenant made before or after the passing of this Act—

- "(a) shall bar in perpetuity the acquisition of an occupancy-right in land, or
- "(b) shall take away an occupancy-right in existence at the date of the contract, or
- "(c) shall entitle a landlord to eject a tenant otherwise than in accordance with the provisions of this Act, or
- "(d) shall take away or limit the right of a tenant, as provided by this Act, to make improvements and claim compensation for them.

"(2) Nothing in any contract made between a landlord and tenant since the 15th day of July, 1880,* and before the passing of this Act shall prevent a raiyat from acquiring, in accordance with this Act, an occupancy-right in land.

"(3) Nothing in any contract made between a landlord and tenant after the passing of this Act shall—

- "(a) prevent a raiyat from acquiring in accordance with this Act an occupancy-right in land;
- "(b) take away or limit the right of an occupancy-raiyat to use land as provided by section 23;
- "(c) take away the right of a raiyat to surrender his holding in accordance with section 36;
- "(d) take away the right of a raiyat to transfer or bequeath his holding in accordance with local usage;
- "(e) take away the right of a raiyat to sub-let subject to, and in accordance with, the provisions of this Act;
- "(f) take away the right of a raiyat to apply for a reduction of rent under section 38 or section 52;
- "(g) take away the right of a landlord or tenant to apply for a commutation of rent under section 40; or
- "(h) affect the provisions of section 67 relating to interest payable on arrears of rent."

54. To meet the important case of a lease for the reclamation of waste land to which these provisions are not suitable, we have added the following proviso:—

"Provided as follows:—

- "(i) Nothing in this section shall affect the terms or conditions of a lease granted *bond fide* for the reclamation of waste land, except that, where, on or after the expiration of the term created by the lease, the lessee would, under Chapter V, be entitled to an occupancy-right in the land comprised in the lease, nothing in the lease shall prevent him from acquiring that right."

* This was the date of the publication by the Government of Bengal of the Rent Commission's Report and Draft Bill.

55. We have further provided that the section shall not affect those contracts which are occasionally entered into for the temporary cultivation of orchard land with agricultural crops.

56. We have in section 180 put *utbandi* lands on the footing on which *chur* lands were placed by section 213 of the Bill No. II, that is to say, no occupancy-right will be acquirable in them until they have been held for twelve years, and meantime the tenant will be bound to pay whatever rent may be agreed on between him and his landlord. We have further provided that Chapter VI of the Bill shall not apply to such lands.

57. We agree with the Government of Bengal in thinking that it is not desirable to make any special provision regarding the lands known as "*hál-hasili*," and we have accordingly omitted all references to them in this chapter.

58. We have considered the proposals of the Government of Bengal regarding homestead lands, and find that they practically resolve themselves into this, that the tenure of such lands should, as provided by section 216 of the Bill No. II, be regulated by local custom, with this addition, however, that, subject to local custom, they should be regulated by the provisions of the Bill applicable to land held by a *raiya*. We have amended the section (182) on these lines.

CHAPTER XVII.

SUPPLEMENTAL.

59. We have in section 189 added to the powers which may be conferred on officers by the rules to be made by the Local Government—"any power exercisable by any officer under the Bengal Survey Act, 1875."

60. We have also inserted the following new section, which speaks for itself:—

"194. Where a proprietor or permanent tenure-holder holds his estate or tenure subject to the observance of any specified rule or condition, nothing in this Act shall entitle any person occupying land within the estate or tenure to do any act which involves a violation of that rule or condition."

61. Lastly, we have added a section (196) providing that "this Act shall be read subject to every Act passed after its commencement by the Lieutenant-Governor of Bengal in Council." In the absence of some such provision as this, the Bengal Legislative Council would, owing to the wide extent of ground covered by this measure of the Supreme legislature, find itself practically debarred for all time to come from dealing with almost every question affecting the relations of agricultural landlords and tenants.

62. In the 99th paragraph of our former Report we mentioned certain points on which we desired further information, and on which we solicited the opinions of the Local Government or High Court or both, and to these it is necessary briefly to allude in so far as they have not been disposed of by the foregoing remarks.

63. The first of these points, which was referred to the Local Government, was "whether, with reference especially to landlord's improvements, it is desirable to empower Revenue-officers to arrange for the cutting of irrigation-channels, the distribution of water and the payment of compensation, and, if so, what form such provisions should take."

We are fully sensible of the great importance of this question, but on full consideration we agree with the Government of Bengal in thinking that a discussion of it would be out of place in connection with the present Bill, and that it will be most appropriately treated in connection with the irrigation law, which will probably soon come under revision in Bengal.

64. The only other points specially referred to the Local Government, and to which we have not already adverted, were certain proposals to extend the *patni* sale procedure. Those proposals did not commend themselves to the Local Government, and now that the *patni* procedure is to be excluded from the present Bill, they would more properly be reserved for future consideration.

65. The remaining points to which we think it necessary to advert had reference to the question as to the possibility of devising some simplification of the procedure in rent-suits. In paragraph 83 of our former Report we said—"For ourselves we must confess that, after the most anxious consideration of the various schemes which have been propounded for shortening and simplifying the procedure in rent-suits, we are unable to suggest anything of importance in this direction, which would not involve a serious risk of failure of justice." We, however,

proposed that certain suggestions which had been made should be referred for the opinion of the High Court. The reply of the Honourable Judges is among the papers before us, and we regret to find that, as we apprehended, they too are unable to strike out any royal road to the result desired. They disapprove of the specific suggestions made, and they state it as their opinion that the true remedy for the evils complained of is to be found in executive rather than in legislative action, that is to say, in an increase in the judicial staff and a reduction of the court-fees.

Since the reply of the Honourable Judges has been received, further proposals have been submitted to us, and in particular a scheme put forward by Bábú Mohiny Mohun Roy, on which the opinions of certain officers have been taken, but we regret to say we have not found among them anything which would materially abridge the procedure without entailing a risk of serious failure of justice. The executive measures referred to by the High Court will, doubtless, receive careful consideration at the hands of the Government.

66. The publication ordered by the Council has been made as follows :—

<i>In English.</i>				<i>Date.</i>
<i>Gazette.</i>				
<i>Gazette of India</i>	...	...	...	29th March, and 5th and 12th April, 1884.
<i>Calcutta Gazette</i>	...	...	...	2nd, 9th and 16th April, 1884.

<i>In the Vernaculars.</i>						<i>Date.</i>
<i>Provinces.</i>			<i>Language.</i>			
Bengal	...	...	Bengali	...	...	29th April, 1884.
			Hindi	...	...	6th May, 1884.
			Uriya	...	;	8th May, 1884.

67. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

S. C. BAYLEY.

RIVERS THOMPSON.*

C. P. ILBERT.

LAKSHMESHWAR SINGH OF DARBHANGA.*(a)

J. W. QUINTON.

T. M. GIBBON.*

AMÍR ALÍ.*(b)

W. W. HUNTER.*

H. J. REYNOLDS.*

PEARI MOHAN MUKERJI.* (c)

G. H. P. EVANS.*

The 12th February, 1885.

* Signed subject to dissent on certain points.

(a) I sign this Report as it represents the views of the majority, but I reserve to myself the right of recording separate dissent.

(b) I object to some of the main provisions of the Bill and have recorded a separate dissent.

(c) This Report represents the views of the majority. I object to the main principles of the Bill and record separate dissent.

SCHEDULE.

- Endorsement by Officiating Under-Secretary to Government of India, Revenue and Agricultural Department, No. 197—1-63, dated 13th March, 1884, and enclosures [Papers No. 42].
- From Bábú Pronob Náth Ghosál, Nāib, Ráy Luchmiput Sing Bahadur's Zamíndárí, Kutabpur, District Rungpur, dated 24th April, 1884 [Paper No. 43].
- Endorsement by Under-Secretary to Government of India, Revenue and Agricultural Department, No. 491—9-24R., dated 23rd July, 1884, and enclosures [Papers No. 44].
- Office Memorandum by Revenue and Agricultural Department, No. 499R., dated 25th July, 1884 [Papers No. 45].
- From Officiating Registrar, High Court, Calcutta, No. 1986, dated 8th August, 1884 [Paper No. 46].
- Extract from *The Bengálí* of 30th August, 1884 [Paper No. 47].
- From Officiating Registrar, High Court, Calcutta, No. 2611, dated 15th September, 1884, and enclosure [Papers No. 48].
- „ Bábú Kishori Lál Sarkár, dated 21st September, 1884 [Paper No. 49].
- „ Secretary, British Indian Association, No. 87, dated 23rd September, 1884, and enclosure [Papers No. 50].
- Endorsement by Under-Secretary to Government of India, Revenue and Agricultural Department, No. 648—926, dated 23rd September, 1884, and enclosures [Papers No. 51].
- Note by Bábú Kishori Lál Sarkár [Paper No. 52].
- From Secretary to Government, Bengal, No. 1906T.R., dated 15th September, 1884, and enclosures [Papers No. 53].
- „ Officiating Under-Secretary to Government, Bengal, No. 2071T.R., dated 29th September, 1884, and enclosures [Papers No. 54].
- Memorial of Committee of Orissa People's Association, dated 21st October, 1884 [Paper No. 55].
- Memorial of Middle Tenure-holders of the Sub-division of Jhenidah, District Jessore [Paper No. 56].
- Endorsement by Under-Secretary to Government of India, Revenue and Agricultural Department, No. 749—9-35R., dated 31st October, 1884, and enclosures [Papers No. 57].
- From Officiating Registrar, High Court, Calcutta, No. 2759, dated 3rd November, 1884, and enclosure [Papers No. 58].
- From Officiating Registrar, High Court, Calcutta, No. 2943, dated 20th November, 1884, and enclosure [Papers No. 59].
- From Honorary Secretary, Behar Landholders Association, dated 27th October, 1884 [Paper No. 60].
- From Officiating Under-Secretary to Government, Bengal, No. 2201T.R., dated 9th October, 1884, and enclosure [Papers No. 61].
- From Bábú Rajkissore Mookerjee, Cultivator-raiyat, Utterpára, dated 24th November, 1884, and enclosure [Papers No. 62].
- Notes by the Hon'ble T. M. Gibbon [Papers No. 63].
- From Officiating Under-Secretary to Government, Bengal, No. 1926—1009L.R., dated 28th November, 1884, and enclosure [Papers No. 64].
- From Bábú Umesh Chundra Ghosh, Senior Pleader, Jessore, dated 24th November, 1884, and enclosure [Papers No. 65].
- From Bábú Rajkissore Mookerjee, Utterpára, dated 5th December, 1884, and enclosure [Papers No. 66].
- From Secretary to Government, Bengal, No. 2002—1038 L. R., dated 4th December, 1884, and enclosures [Papers No. 67].
- From Officiating Under-Secretary to Government, Bengal, No. 2013—1041 L. R., dated 4th December, 1884, and enclosures [Papers No. 68].
- From Officiating Under-Secretary to Government, Bengal, No. 1980—1024 L. R., dated 3rd December, 1884, and enclosures [Papers No. 69].
- From Secretary, Bhagulpore Landholders Association, No. 52, dated 3rd December, 1884, and enclosures [Papers No. 70].
- From Officiating Under-Secretary to Government, Bengal, No. 2085—1075 L. R., dated 10th December, 1884, and enclosures [Papers No. 71].
- From Bábú Bopin Behari Sircar, dated 1st December, 1884, and enclosure [Papers No. 72].

- From Officiating Under-Secretary to Government, Bengal, No. 2091—1077 L. R., dated 10th December, 1884, and enclosures [Papers No. 73].
- A Review of the Procedure sections of the Bill (No. II), and a few suggestions for the simplification of Procedure, by Bábú Mohiny Mohun Roy [Paper No. 74].
- From Secretary, Behar Landholders Association, dated 13th December, 1884, and enclosures [Papers No. 75].
- From Secretary, Central Committee of Landholders of Bengal and Behar, No. 123, dated 29th December, 1884, and enclosure [Papers No. 76].
- Memorial of Khás Mahál Raiyats of Government Estate Jalamuta, Villages Paikbhera, Harmanah, &c., District Midnapur [Papers No. 77].
- From Bábú Sarat Chunder Mukhopadhyaya, to Private Secretary to His Excellency the Viceroy, dated 27th December, 1884, and enclosure [Papers No. 78].
- From Bábú Rajkissore Mukerjee, Utterpara, dated 8th January, 1885, and enclosure [Papers No. 79].
- From the Mahárájá of Burdwan, No. L.9—301, dated 7th January, 1885, and enclosure [Papers No. 80].
- From Officiating Registrar, High Court, Calcutta, No. 126, dated 14th January, 1885, and enclosure [Papers No. 81].
- Office Memorandum by Private Secretary to His Excellency the Viceroy, No. 111, dated 19th January, 1885, and enclosures [Papers No. 82].
- Office Memorandum by Private Secretary to His Excellency the Viceroy, No. 113, dated 17th January, 1885, and enclosures [Papers No. 83].
- From Bábú Ketaki Bilas Rai, Kirtipur, Jessore, dated 26th January, 1885, and enclosure [Papers No. 84].
- Endorsement by Officiating Under-Secretary to Government, Bengal, No. 327-128 L.R., dated 31st January, 1885, and enclosures [Papers No. 85].

Memorandum of dissent from the decisions of the Select Committee on the Bengal Tenancy Bill.

In signing the Report of the Select Committee on this Bill I wish to place on record my opinion that, having regard to all that has been elicited by the commissions and enquiries of the last six or seven years, the Bill inadequately meets the necessities of the case which called for legislation. It is unsatisfactory, in so far as it gives insufficient protection to all raiyats against excessive enhancements of rent, and no real protection in other directions to the non-occupancy-raiyat.

I note, *firstly*, that the change under which the limit of the "village" has been substituted for the "village or estate" in section 20 of the Bill may seriously affect the fixity of the "settled raiyat's" tenure. As originally drawn, "estate" formed part of this section, and its adoption as part of the definition had the sanction of the Secretary of State. In that form the definition met with considerable opposition in Committee, but I was prepared to meet objections by accepting an arrangement whereby a permanent cultivator, when willing to pay a fair rent, should carry his *status* as a settled raiyat to any land in that portion of his landlord's estate which might be situated in the pargana or fiscal circle in which the raiyat resided.

Secondly, I have opposed the "prevailing rate" as a ground of enhancement. There is ample evidence in the recorded literature on the subject to shew that such a thing as a "prevailing rate" of rent does not exist in any part of the country. Under the law as it stands it is admitted that the zamindars have been unable to establish a "prevailing rate" in their suits for enhancement on this ground; and the consequence was that, failing proof, the endeavour was made to create it fictitiously. The result has been demoralizing and very injurious to the raiyats, and I am afraid that the Select Committee, though animated by the very best intentions, have not provided any positive safeguard against the mischievous tendencies to which I have referred. On the contrary, their proposals on the subject will probably facilitate enhancements up to the *average* of rates prevailing in the village, and will thus place a much stronger power in the hands of the zamindars than even the present law permitted or ever contemplated.

Thirdly, the Bill as it leaves the Committee almost entirely abandons the non-occupancy and the under raiyat. They are practically unprotected; and such a result appears to me to be contrary to the intention with which the legislation on the Rent question was undertaken, and contrary to the conclusions of authoritative opinion that, in the case of all tenants of this class, the growth of the right of occupancy, as tending to establish a substantial peasantry should be encouraged and advanced.

Lastly, the loss of the limitation of the maximum rent to one-fifth of the gross produce is a serious loss, specially as it affects the non-occupancy and under raiyats. The pro-

posal to limit rents to a fraction of the gross produce in staple food-crops did not originate with me, though I accepted it and suggested the particular fraction of one-fifth. Indeed, had my views been supported in regard to the abolition of the "prevailing rate" as a general ground of enhancement, and in regard to the protection of the non-occupancy-raiyat, I should not have placed the stress I now do on the gross-produce limit. But as the majority of the Select Committee have rejected, one by one, every effectual check on rack-renting adopted in the original Bill,—as they have also rejected the equivalents for those checks advocated by me without themselves proposing any substitutes,—it seemed to me that the only hope of escape from the danger of a Bill for the unlimited enhancements of rent lay in a recurrence to the proposal made by the Government of India in their first Bill to limit rents to a share of the gross produce. I am, of course, conscious of the objections to which such a limitation is open as a matter of theory; but theory and practice do not always coincide, and practically a gross produce limit on rents is indigenous in the country, has been asked for by the landlords, and recommended by the ablest among my predecessors. My views on the subject are not shared by a majority of the Committee, and the proposal falls to the ground. I have always admitted that in some Bengal districts the tenantry can well afford to pay higher rents, and I have endeavoured to provide landlords with reasonable facilities for enhancement. But there are many parts of Bengal in which rents are already excessive; and, taking Bengal and Behar together, I cannot contemplate without anxiety a legislative measure whose tendency is to promote, without an ultimate check, a further increase of those rents.

I had hoped that the legislation now in hand, which has been the subject of discussion and consideration by no less than four Lieutenant-Governors of Bengal, would have carried with it some measure of finality. I gladly recognise in the Bill some advance on the present law as regards security of tenure in the case of raiyats with a right of occupancy. I recognise too potentialities for good in the chapter which provides for a survey and a record-of-rights. But fixity of tenure for one class of raiyats loses much of its value as against the power of unlimited enhancements of rent; and in its present outcome there is scarcely the assurance, which had been expected, of a final settlement of many important principles connected with a Tenancy Bill in the Lower Provinces of Bengal.

RIVERS THOMPSON.

The 13th February, 1885.

Memorandum of dissent from the decisions of the Select Committee on the Tenancy Bill.

ALTHOUGH I think the Bill as it now leaves the hands of the Select Committee an improvement on the Bill submitted to it for amendment, it still contains certain provisions with reference to which I differ with the majority in opinion, and on these points I would beg to record my dissent.

1. I object to the omission of the words "and the whole or part of it is sub-let" from section "5", sub-section "5". The word should be again inserted or the whole of the sub-section omitted.

Under the Bill a tenure-holder is a tenant "who has acquired a right to hold land for the purposes of collecting rents or bringing it under cultivation by establishing raiyats on it." A raiyat, is a person "who has acquired land for the purpose of cultivating it himself or by hired labour."

I cannot understand on what grounds the majority of the Committee deemed it necessary to over-ride the essential difference in the nature of the two tenancies, and to declare that all persons holding more than 33 standard acres of land shall be presumed to be tenure-holders until the contrary is proved.

To me it appears that the first and only enquiry to be made is whether the tenant cultivates it himself or sub-lets the whole or a portion of it. If he cultivates it himself it should be presumed that he is a raiyat until the contrary is proved. If he sub-lets a portion of it, it should be presumed that he is a tenure-holder, until he proves that he originally acquired the land for cultivating purposes, and that the tenants who hold under him are sub-tenants.

Our efforts in this instance should be confined to strengthening the position of the actual cultivators of the soil.

2. I dissent from the decision of the majority of the Select Committee to omit transferability from among the incidents attached to an occupancy-holding.

I have already exhausted every argument I can think of to induce the Government and the Committee to legalize and control transfer and failed to gain their support, it is unnecessary to recapitulate them here, I will therefore only record my dissent.

3. *Section 18, Chapter 3.*—The provisions of this chapter should be confined to mocrarranee holdings, holdings admitted by the landlord to be held at fixed rents, and holdings the rents of which have been declared fixed in perpetuity under decrees of competent Courts. If this is not allowed, sections 15 to 22 of Bill No. 2 should be again inserted in the Bill in place of sections 12 (3) and 13.

All raiyati holdings acquired for the purposes of cultivation whether held at a fixed rent or at a rent subject to enhancement, should only be used for the purpose for which they were acquired, *viz.*, for the purposes of cultivation, and for the growth of crops. There can be no sufficient reason for allowing an ordinary cultivator to be ejected from his holding if he uses it in a manner to render it unfit for the purposes of the tenancy and at the same time to allow raiyats at fixed rates of rent to do, as they think right with the land even to destroying it whatever the rate of rent may be, whether subject to periodical enhancement or not, the purpose for which the land was originally acquired was the same in both instances and should remain so.

If the provisions of the chapter were confined to admitted rights, the injury to the landlord would be lessened, as they stand in the Bill, in every instance that a landlord sues under section 25 (a), the provisions of this chapter will be pleaded to debar suit.

If the above suggestions were adopted, it would not inflict any hardship on the tenant; if the tenant claiming to hold at fixed rates, but whose rights had not been admitted wished to avail himself of the privileges allowed him under this chapter, all he need do is to apply under section 157, to have the nature of his tenancy declared previous to availing himself of them.

If the operation of this chapter is not confined to mocrarranee holdings, and holdings the rents of which have been declared fixed by a competent Court, sections 15 to 22 of Bill No. 2 should be again inserted in the Bill, or the landlord will be compelled to bring a suit to set aside every conveyance in which the holding is incorrectly described as a holding at fixed rates, when he receives notice of transfer.

4. The restrictions placed on voluntary enhancement under section 29, will have the effect of compelling the landlord to exact every pice of rent the law will permit him to demand, it prohibits all enhancement out of court, or it will induce the parties concerned to resort to deception and fraud to evade the payment of the heavy costs entailed upon them in a heavy law suit for enhancement of rents, they will fight it out to the bitter end or lie.

5. Section 35 I consider superfluous we have throughout the Bill directed the Courts to decree only fair and equitable rents, therefore to tell the Courts that they shall not decree unfair and inequitable rents is unnecessary. With an experienced judge it will have no weight but an inexperienced judge may attach undue importance to it and in doing so do substantial injustice to one of the parties concerned.

6. Under sections 48 and 49 we have effected too little for the protection of the sub-tenant, the actual cultivator of the soil.

The sub-tenant holding under a registered lease is, I think, amply protected short of allowing him to acquire occupancy-rights in the land, the Committee have gone as far as it is possible to go without encroaching on the rights of others, but the sub-tenant who holds under a verbal agreement or an agreement which cannot be accepted as evidence under the law is not sufficiently protected. I would wish to see the sub-tenant receive the same protection against hasty eviction, rack-renting, &c., as is afforded the non-occupancy-raiyat under the Bill.

7. Section 50 is an improvement on section 64 of Bill No. 2, but it does not go far enough. I am of opinion that the suggestions made in the Bengal Government letter of September, 1884, that the presumption should run from 20 years previous to the introduction of the suit, should be adopted, my reasons for wishing it so I stated in my dissent on the Bill No. 2, therefore need not repeat them here.

8. The penal clauses 59, 74 and 185 require modification as they stand, they will be harsh in their operation and may be used solely for the purpose of giving the landlord annoyance.

9. Section 89—2 prohibiting the landlords measuring lands oftener than once in ten years will have the effect of encouraging encroachments. As the landlords are prohibited from bringing suits for enhancement oftener than once in 15 years there is no necessity for this prohibition and the right to do so will, in all instances, be useful to them to test encroachments.

10. Section 138 limits the area of the landlords zeraut or home cultivation to all land held by him as such for 12 years continuously "previous" to the introduction of the Act, thereby preventing him from acquiring any more land as zeraut after the passing of the Bill.

It does not prevent his cultivating more land as home cultivation, but if he once lets it out of his possession, lets it to another person for one season, he will lose his rights in it for ever.

I think the period he is required to hold it for, in order so acquire zeraut rights in the land should run for a period of 12 years before or after the Act is introduced.

11. Section 173 contains a new provision in law, it permits a judgment-debtor to recover possession of his holding 30 days after it has been sold by decree of Court by paying in the amount of the decree.

I object to it as I think it will have an effect contrary to what is intended.

It will deter would-be purchasers from bidding, thereby allowing holdings to be sold for one quarter their value.

It will encourage hangers on about the Courts to make speculative purchases.

And last not least it will induce the judgment-debtors to be careless in the due payment of their debts.

T. M. GIBBON.

12th February, 1885.

Dissent.

I REGRET I cannot concur with many of the decisions arrived at by the majority of the Select Committee. It seems to me that we have failed to achieve some of the principal objects of the Bill, and that the modifications which the measure has undergone, whilst securing to the landlords substantial advantages, have left the raiyats as defenceless as before.

The Bill was introduced in Council with certain well-defined objects which were of a two-fold character, namely (1) to give reasonable security to the peasant in the occupation and enjoyment of his land; (2) to give reasonable facilities to the landlord for the settlement and recovery of his rent. In order to attain the first object, it was proposed to make the following changes in the existing system:—

- (1) to extend to permanent cultivators, holding land in a particular village or estate, the right to hold that land on payment of a fair rent;
- (2) to make occupancy-rights transferable;
- (3) to introduce a fixed maximum limit for the enhancement of rents; and
- (4) to provide some efficient guarantee to non-occupancy-raiyats against *arbitrary* eviction and *arbitrary* enhancement of rents. As regards the first object, the proposal, no doubt, has been maintained with some modification. But this has certainly not been the case with the others, and I must confess to a feeling of disappointment at the withdrawal of most of those provisions which were from time to time introduced to secure these objects.

The free transfer of occupancy-holdings was, if I may so call it, the keystone of the measure. The custom had grown up in various parts of Bengal and was gradually extending itself to the entire province. Excepting those places where the presence of a foreign element predominated and caused some degree of friction between landlords and raiyats, the tenants who enjoyed the right of free transfer were admittedly more prosperous and better able to withstand the periodical shocks of scarcities and famines. It was admitted that, during the years immediately preceding the introduction of the measure in Council, the evidence in favour of the extension of the right of transferability had accumulated considerably. It was accordingly proposed to give a statutory sanction to that right. With reference to Behar, however, a doubt was entertained by the Government of Bengal, and my own knowledge of the circumstances of that province induced me last session to bring forward a proposal to withdraw Behar from the operation of the provision. That proposal, however, was not approved of, and it was resolved to give the right to all occupancy-raiyats throughout Bengal and Behar. During the present session, the provision has been dropped entirely from the Bill. Whilst agreeing to the advisability of leaving to custom the right of free transfer in Behar, I consider that as regards Bengal it would have a mischievous tendency. In every place, even where the right has been freely exercised, such as the Presidency, Rajshahye, Dacca, and Chittagong Divisions, the custom will be disputed, with the result that a large portion of the consideration money will pass either into the hands of the landlords or their servants. It would have been far better to recognize transferability throughout Bengal Proper, subject, if necessary, to the payment by the raiyat of a graduated scale of fees upon the consideration money, than to have left it to custom, which I fear will henceforth be disputed in every instance, to the serious prejudice of the tenant in the exercise of his right. With the safeguards which the Bengal Government proposed to attach to the recognition of the right in Bengal Proper, no injury to the landholding interests need have been feared. I think the mode in which the question has been discussed and decided is likely to produce mischief. Had the question not been raised, this mischief might have been avoided.

2. From the very inception of the Bill, it was considered necessary to introduce a maximum limit on rents. In many parts of the province it was proved by the stern testimony of facts that the enhancement of rent beyond a certain limit implied starvation to the cultivators of the soil, and that any endeavour to exact rent beyond that limit ended in failure to the landlord or distress to the tenant. In the interests of the landholding classes themselves it was proposed to provide a check to the system of rack-renting which many of them were disposed to adopt. The East Landholders Association and the late Bábú Kristodás Pál both proposed a gross produce-limit—the former one-fifth as the highest limit of enhancement which the zamindárs thought proper to demand, the latter one-fourth. The important question to determine was what proportion should the raiyat be left in enjoyment of after payment of his rent? If experience and the collective evidence of competent observers are of any account, it is clear that the raiyats in Bengal can hardly pay for rent more than one-fifth of the gross produce without trenching upon the bare means of subsistence. If in some places the *jamábandis* shew a higher rent, the question remains is the raiyat ever

able to discharge his liability? Among other evidence, that recently supplied by the Board of Revenue as the result of its experience of wards' estates furnishes a negative answer to this question. It certainly cannot be the interest of anybody to leave the raiyat a bare subsistence. Whatever the proportion it may have been considered desirable to adopt, a gross produce-limit appeared to me the most satisfactory and most feasible of all the proposals brought forward to prevent rack-renting. The adoption of this limit would have also enabled the legislature to give some degree of protection to the large body of non-occupancy and under-raiyats who are now practically left without any protection. The withdrawal of the fractional limit upon enhancements in Court is in my opinion likely to prove injurious to the raiyats.

3. I consider the ground of enhancement on the basis of "prevailing rates" as open to serious objection. It introduces, in the form it has now assumed in this Bill, an entirely novel principle into the law of Bengal. The law has hitherto not recognized enhancements up to the *average* of rates payable, and it seems to me that the recognition of such a principle is not only dangerous, but, without any correlative ground of reduction, unjust. It will end in screwing up rents to the factitious average of a large number of rates, over the correctness or reality of which no individual raiyat has any control, and that average will furnish the basis for a fresh increase until the highest possible rate is reached.

4. Enhancement on the ground of increase in the price of staple food-crops is to my mind economically indefensible. When the price of food-crops increases, the price of other necessary articles also increases. Is it fair or reasonable to constitute a rise in the price of staple food-crops as a ground of enhancement when a hundred other circumstances, like the increasing cost of production, increasing cost of the bare necessities of life, &c., tend to show that the raiyat of to-day in the majority of instances is not a whit better off than the raiyat of twenty years ago? Let us take for example an instance (which is not uncommon in Bengal), of a raiyat whose holding is fit for growing, say cotton, and whose cultivation, owing to a fall in the cotton-market, has diminished in value. As the Bill stands such a raiyat would, notwithstanding his contracted ability to pay enhanced rent, be still liable to enhancement should the price of food-grains have risen. In other words, although he gets less for his crop and has to pay more for his food, he is still liable to have his rents increased. I cannot help thinking that the Select Committee have failed to realize the full effects of this ground of enhancement, and I would strongly urge that the old ground of enhancement on the basis of net values should be reverted to.

5. The Bill provides no efficient safeguard against the ejectment of a non-occupancy raiyat to prevent the possibility of his acquiring an occupancy-right.

6. I am not able to understand the object of the factitious difference which has been created between under-raiyats holding under registered sub-leases, and under-raiyats holding verbally or under an unregistered lease. The system of sub-letting is interwoven with the agricultural economy of the country, and the Committee at a very early stage recognized the inexpediency of introducing any provision in the Bill interfering with it. Considerable protection has been given to planters and capitalists taking lands for purposes of indigo cultivation from the raiyats under registered sub-leases. No protection, however, is given to the mass of under-raiyats. It is said that these may secure to themselves the same rights by simply taking registered leases; but it must be remembered that the majority of the under-raiyats are poor to the verge of starvation, and that they are not in a position to demand registered leases.

7. I demur, also, to the provision embodied in the Bill regarding *utbandi* tenures. This provision seems to me to be in direct contradiction to the views of the Secretary of State and the Government of India, that "shifting" should be put an end to. The *utbandi* provisions recognize and legalize the eviction of a raiyat at the mere caprice of the landlord. I had no objection to the proposals of the Bengal Government, to allow land held on the *utbandi* system to be a matter for contract; but I have strong objections to the *utbandi* raiyat being left, as this Bill leaves him, without any practical protection whatsoever.

These are the main and essential points on which I differ from my colleagues; but there are various minor details with reference to which, also, I cannot agree with them.

8. On the whole I regret to think that a measure from which so much was expected should prove so inadequate in its general result. The guarantees to which the raiyats had laid claim, as well on constitutional grounds as on those of equity and expediency, have been either withheld or only partially conceded. Between contending claims the Bill does not in my opinion strike a just balance, and it seems to me that unless some further modifications are made in the direction which I have indicated, it will not answer the purpose of definitely setting at rest the disputes between landlord and tenant in Bengal.

AMIR ALI.

MINUTE.

I signed the preliminary Report of the Select Committee last year, on the understanding that I postponed the expression of my opinion on certain questions until the submission of the final Report to Council. Some of the sections to which I then objected have, during the subsequent revision, been removed from the Bill, others have been modified, and I now confine my remarks to four principal points. I desire, however, at the same time to record in general terms my hesitation in regard to several other provisions in the Bill. For the Select Committee has been asked to deal with the entire relation of landlord and tenant in Bengal, without being furnished with any body of cross-examined evidence to guide its deliberations. Opinions and statements, often conflicting and sometimes contradictory, have been furnished to it in large numbers. But it has not had the means of ascertaining which of these opinions and statements would have borne the test of cross-examination, or how far their discrepancies might have been reconciled. Absence of such data is the more to be regretted in a measure affecting land-right in Bengal; for in Bengal almost alone among the Provinces of India, there is no central department of statistics, and until quite recently there was no agricultural bureau, which might in some measure have compensated for the evidence of witnesses heard in the Districts. But, while I regret the defective method of enquiry originally adopted, I acknowledge that, at the stage which the measure had reached when the Bill came before the Select Committee, the time for an effective local enquiry had gone past. The Committee heard the views of several gentlemen in Calcutta on two minor points, but no body of evidence has been collected in the Districts and subjected to cross-examination. The result has been to leave in my mind an extreme uncertainty in regard to several important classes of rights with which the Bill deals.

Coming to specific grounds I object, in the first place, to the application of one set of minute provisions for the regulation of rent, to two Provinces in which the relation of landlord and tenant is so widely dissimilar as in Bengal and Behar. [Section 1 (3).] The statements before the Committee show that in Behar, owing to over-population and to the consequent competition for land, the difficulty is to secure a sufficient share of the crop to the cultivator; while throughout large areas in Bengal the difficulty is for the landlord to realise his rent. Yet the fundamental differences between Bengal and Behar find no recognition in the Bill. The effect of this has been, in my opinion, to increase the difficulty of making effective provision for either Province. Thus in regard to perhaps the most important question dealt with in the Bill, namely, the restrictions to be placed on enhancement of rents, the Bengal Government declared that to limit rents to one-fifth of the gross-produce was a necessity for Behar, while the imposition of that limit was found indefensible for Bengal. The one-fifth limit has accordingly been dropped, and minor restrictions have been introduced. It seems doubtful to me whether some of these minor restrictions do not go further than is warranted by the facts in Bengal; and it is more than doubtful, considering the statements made on behalf of the Bengal Government, whether these restrictions will meet the necessities of Behar.

I object, in the second place, to the discouragement which the Bill places on the reclamation of waste lands by proprietors at their own expense. Important provisions in the Bill rest on considerations arising out of the pressure of the population on the soil, and on the necessity of protecting the cultivator against the monopoly in land which is thus conferred on the landlord. The most direct remedy for this state of things is to increase the area available for cultivation. Yet the Bill not only gives no new inducement to landholders to reclaim wastes, but places discouragements, which did not exist under the previous law, upon their doing so. As regards lands brought under cultivation by means of reclamation leases, the landlord will be in a rather worse position than before; for the occupancy-right will now commence to accrue to the tenants during the currency of such leases, and it may be enforced immediately on their expiry. As regards lands brought under cultivation by the landlord himself, by means of hired labour, he is in a much worse position than before. Henceforth the landlord who cuts down heavy jungle, or digs tanks, or drains swamps at a large outlay, by means of his own servants, will, under the provisions of the Bill, begin to lose the occupancy-right in the reclaimed land as soon as he lets it out to tenants. If the landlord lets the reclaimed fields to a settled raiyat of the village, the tenant acquires the occupancy-right the moment he enters on the land: if the landlord lets the reclaimed fields to any other raiyat, the title to occupancy-rights immediately begins to accrue. In no case will the landlord be permitted, by special contract in his lease, to bar the growth of occupancy-rights in land which he has reclaimed by his own servants at his own expense. Considering the pressure of the people on the cultivated soil, and the existence of large un-reclaimed tracts within a few days' walk of centres of congested population, I think it impolitic to place any new discouragements on efforts to add to the cultivated land. Considering that the Bill, in order to deal with the evils of over-population, restricts the former rights of the landholders, I think that such discouragements are not only impolitic but unjust. I purpose, therefore, to move amendments in Council, which will have the effect of protecting a landlord who reclaims at his own expense *bona fide* waste lands, against the

growth of occupancy-rights in those lands during a reasonable period to recoup his outlay, say for thirty years.

In the third place, I object to certain of the provisions for the enhancement and reduction of rents on the ground of a rise in prices [section 39]. The Bill substitutes for an old and a scarcely workable ground of enhancement, namely, a rise in the value of the produce, a much more simple ground, namely, a rise in the prices of staple food-crops. The latter contention would in any case be more easily susceptible of proof. But the Bill further simplifies the burden of proof, by directing that the Courts shall be guided by certain lists of prices to be published in the official Gazette. These lists are to be of two kinds; one set of lists are to record current prices in the future, the other set refer to prices in the past. A new and sharp weapon of enhancement is thus placed in the hands of the landlord; but, subject to conditions on its application imposed by the Bill in favour of the tenants, I believe it to be a fair ground of enhancement. The weapon is two-edged; it cuts against the tenant as a means of enhancement if prices have gone up, and against the landlord as a ground for the reduction of rent if prices have gone down. It is obvious, however, that as the Bill entrusts the Local Government with the duty of supplying the evidence, it should take reasonable guarantees that the evidence thus supplied shall be good evidence. The draft Bill of last year provided that all the price lists officially published, should be conclusive evidence. The Bill as now finally settled directs that the Courts shall presume that the facts stated in the lists are correct unless and until it is proved that they are incorrect; thus giving the value of presumptive evidence to both the sets of lists.

I believe that the lists to be prepared for current prices in the future, under the safeguards provided by the Bill, will merit this degree of credibility: but that the lists, purporting to record prices in the past, do not. This latter class of lists will have to be compiled, *ex post facto*, for a period running back ten or fifteen years, from certain price-lists which were collected at a time when adequate safeguards were not taken to secure their accuracy, and when the effective safeguards now provided by the Bill for future price-lists were not thought of. At the period of their collection, moreover, it was never contemplated to give to them the value of conclusive or presumptive evidence in the Courts. I have examined some of the old lists. I do not think that they afford a safe basis for a recompilation which should be accepted by the Courts either as conclusive or presumptive evidence of prices in the past. They are valuable concurrent evidence, taken together with the evidence to be derived from the business books of grain-merchants, *zaminsdars*, and dealers in export produce. I do not think that lists to be mainly compiled from them should now have a greater weight than the original lists would have had under the Evidence Act. I propose, therefore, to move an amendment which will have the effect of leaving the value of presumptive evidence to the lists prepared for current prices in future, but withdrawing that value from the lists to be compiled for prices in the past.

In the fourth place, while not dissenting from the powers granted by section 112 to the Local Government, in certain exceptional circumstances, to reduce rents, I wish to place on record the hesitation with which I have agreed to that provision. The exceptional circumstances contemplated are when the Government has to intervene between landlord and tenant, "in the interests of public order or of the local welfare." On the one hand, the experience of the past, and the statements which have been made in regard to the future, seem to render it expedient that this power should, under due safeguards, be accorded to the Local Government. The Bill, in requiring that the previous sanction of the Governor General in Council must be obtained, provides due safeguards. On the other hand, I do not think that a general disruption of contracts between landlord and tenant, such as is involved by a reduction of rents on a large scale, should be effected by any authority of a less deliberative character than the Legislature itself. If, therefore, it ever becomes necessary to apply this clause to a considerable area, I hope that the process will be conducted under, or receive effect from, an express Act. It is in this hope that I have agreed to the provision in the present Bill.

I have thought it my duty to place on record objections to specific provisions of the Bill, and to mention in general terms my uncertainty in regard to several important classes of rights with which it deals. I ought, therefore, to state clearly that I believe the Bill, taken as a whole, makes substantial improvements on the existing law, and that, where it alters that law, the changes are, with certain exceptions, expedient and just.

W. W. HUNTER.

Dissent.

I DISSENT from this Report, because I am not satisfied that the Bill, as amended by the Select Committee, affords that effectual protection to the raiyat which the measure, as introduced into the Council, was intended to give. What the nature of that protection was, and on what grounds it was thought necessary, can readily be learnt from the Statement of Objects and Reasons, and from the speech delivered in Council on the 2nd March, 1883, by the Hon'ble Member who introduced the Bill. It was the intention of the Bill to secure to the occupancy-raiyat fixity of tenure, fair rent and free sale. The Bill accordingly declared, *first*, that every settled raiyat should have a right of occupancy throughout the village or estate in which he held land at the date of the introduction of the Bill; *secondly*, that his rent should never exceed one-fifth of the value of the gross produce of the land in staple crops; *thirdly*, that he might transfer his holding at his pleasure, subject to a right of pre-emption on the part of the landlord, and that the landlord's purchase of the holding should not extinguish the occupancy-right, but that the right should revive as soon as the land was let to another tenant. The interests of the non-occupancy-raiyat were not less carefully guarded. "Tenants of this class", said the Hon'ble Member who introduced the Bill, "should not be exposed to arbitrary rack-renting and eviction at the hands of their landlords, and the acquisition by them of the status of settled raiyats should be facilitated in every possible way." The Hon'ble Member quoted with approval a remark made by Sir Ashley Eden, that "no raiyat should be evicted from his fields on any ground save persistent failure to pay a fair and reasonable rent". In accordance with these principles, the Bill prescribed a maximum limit of rent for the non-occupancy-raiyat; it did not allow him to be ejected on the ground that the term of his lease had expired; and it provided that, if he were ejected for refusing to agree to an enhancement demanded by the landlord, he should be entitled to receive compensation for disturbance.

Such was the Bill which was introduced into the Council, and which was referred to the Select Committee. It was drawn with a full recognition of the character and the gravity of the evils which it was designed to remedy. "What we hope for" (said the Hon'ble Member who introduced the Bill) "is, first, that a stop may be put to the vigorous efforts which are at present being made by landlords in some parts of the country to withdraw land from the operation of the occupancy-right by preventing the natural growth of a fresh occupancy-right in the place of an old right which has determined; and secondly, that where occupancy-rights do, as a matter of fact, exist, the proof of their existence may be a matter of less difficulty than it is at present to the ignorant and helpless raiyat". In speaking of the necessity for legislation, and of the kind of legislation required, the Hon'ble Member re-produced a striking passage from the Report of the Famine Commission. "We have received" (the Famine Commissioners wrote) "a large amount of evidence, remarkable in its weight and unanimity, to the effect that in the Bengal Province the relations of landlord and tenant are in a specially unsatisfactory condition. We feel no doubt that the condition of the rent-law and the way in which it is administered in Bengal are a very grave hindrance to its agricultural prosperity, and that large portions of the agricultural population remain, owing mainly to this cause, at all times dangerously near to actual destitution, and unable to resist the additional strain of famine. We can feel no doubt that in all the provinces of Northern India, and particularly in Bengal, it is the duty of the Government to make the provisions of the law more effectual for the protection of the cultivators' rights. * * * It is only under such tenures as convey permanency of holding, protection from arbitrary enhancement of rent and security for improvements, that we can expect to see property accumulated, credit grow up, and improvements effected in the system of cultivation. There could be no greater misfortune to the country than that the numbers of the occupancy-class should decrease, and that such tenants should be merged in the crowd of rack-rented tenants-at-will, who, owning no permanent connection with the land, have no incentive to thrift or to improvement. It is desirable for all parties that measures should be framed to secure the consolidation of occupancy-rights, the enlargement of the numbers of those who hold under secure tenures, and the widening the limits of that security, together with the protection of the tenant-at-will in his just rights, and the strengthening of his position by any measure that may seem wise and equitable."

These, I repeat, were the principles upon which the Bill was based, and these objects would have been effectually secured by the Bill as originally introduced into Council. In the amended Bill, fixity of tenure is weakened by the limitation of the definition of a settled raiyat to the village alone; fair rent is deprived of the safeguard (the only ultimate safeguard) of a maximum limit beyond which rent can never be enhanced; and free sale has disappeared altogether from the Bill, or survives only in a section which saves customary rights. The non-occupancy-raiyat has fared even worse, at the hands of the Select Committee, than his occupancy brother. The gross produce limit of his rent is struck out; he is declared liable

to ejectment on the ground that the term of his lease has expired ; if he refuses to agree to any enhancement demanded of him, he cannot claim a judicial rent for a longer period than five years ; and he may be ejected at any time before he has acquired a right of occupancy without obtaining any compensation for disturbance.

It will possibly be said that these alterations, sweeping as they may seem to be, are counterbalanced by other changes which have been made in the Bill, and that, when the account on both sides is fairly summed up, it will be seen that the objects of the original measure have substantially been attained. Let us consider how far this is the case as regards each of the two great classes of raiyats, and, first, as regards the occupancy-raiyat.

It must be admitted that transferability, or the right of free sale, is not an essential provision of the Bill. I believe that (in Bengal at any rate) it might usefully and safely have been conceded ; but there were arguments in favour of a different conclusion, and it was open to the Select Committee to decide that transferability would not have the effect of either strengthening or extending the occupancy-right. I do not therefore desire to lay any stress on the abandonment of this provision.

With regard to fixity of tenure, the elimination of "the estate" from the definition of the settled riyat is, I think, much to be regretted. If no middle course could be found, the Committee had to decide between a definition which might, in a few exceptional cases, entail a slight hardship on the landlord, and a definition which could easily be worked so as to produce, in a multitude of cases, a grievous wrong to the tenant. On this point the decision of the Committee was, in my opinion, a lamentable mistake. At the same time I admit that, as regards fixity of tenure, the position of the occupancy-raiyat is somewhat stronger under the amended Bill than under the present law, and that this object of the Bill has been partially, though still imperfectly, attained.

Fixity of tenure, however, without fair rent is worse than useless, and in the matter of fair rent the Bill signally fails to afford the occupancy-raiyat reasonable protection. He is protected, under the existing law, by the fact that the enhancement provisions of the Act now in force have proved to be unworkable. Such a condition of things is a public scandal, and the Select Committee rightly resolved that just claims to enhancement should no longer be baffled by the uncertain wording or the complicated conditions of the law. But the Committee seem to have overlooked the danger of enlarging the facilities for the use of the enhancement sections without also taking precautions to guard against the abuse of them. The Bill puts enormous powers of enhancement into the hands of the landlords. The sections relating to enhancement on the ground of the prevailing rate have been re-cast in a form which will practically allow the landlord to raise the rent of every riyat in the village to the highest rate which he can persuade or compel any one to pay. In suing for enhancement on the ground of a rise in prices, the landlord will find the evidence, which it has hitherto been impossible for him to adduce, provided by Government ready to his hands. He will have nothing to do but to lay before the Court the official price-lists, and a decree in his favour will follow as a matter of course.

The feeble palliatives which the Bill provides are impotent to restrain the evils which the working of the enhancement sections is calculated to produce. It is declared that no enhancement shall be decreed in excess of what is fair and equitable ; that the rent of a riyat shall not be enhanced at intervals of less than 15 years ; and that, in extreme cases, the Government of India may interpose, and may depute an officer, not, as usual, to enhance rents, but to reduce them. The first of these provisions may occasionally be of use in tempering the rigour of the law, but it is of too vague and indeterminate a character to afford any adequate protection. The second will make the pauperizing process more gradual, but not less certain or complete. And what shall we say of the third ? Where is the wisdom of enacting a law the natural operation of which may produce a state of things which will require the law to be not merely suspended, but reversed ? But in truth what is most to be feared is not such outrageous oppression as would call for the interposition of Government under this special provision of the Bill. What is most to be feared is that the gradual and steady operation of the enhancement sections will be a permanent bar to all improvement in the condition of the occupancy-raiyats. They will have no inducement to raise larger crops or to cultivate more valuable products, for they would be toiling for the benefit, not of themselves, but of their landlords. The machinery of this Bill they can neither resist nor evade.

These evil consequences would have been avoided, if the Select Committee had accepted two of the recommendations of the Government of Bengal. That Government desired, first, to restrict enhancement on the ground of the prevailing rate to those individual cases which it was originally intended to meet, and secondly, to prescribe an absolute limit beyond which no claims to enhancement should be allowed. The Government of Bengal saw that, if the landlord's demand were restricted to one-fifth of the gross produce in staple crops, rack-renting would be effectually stopped, the cultivation of the more valuable crops would be encouraged, and the agricultural advance of the country would be ensured. Unhappily, these views were not accepted by the majority of the Select Committee, and the amended Bill leaves the occupancy-raiyat without any adequate security in the matter of fair rent.

With respect to the non-occupancy-raiyat, the original Bill was designed to protect him against unreasonable exactions, and to facilitate his acquisition of the right of occupancy. I have shown what stress was laid on these objects, and especially on the second of these objects, by the Famine Commissioners and by the Hon'ble Member who introduced the Bill. It is therefore somewhat remarkable that the amended Bill leaves the non-occupancy-raiyat entirely at the mercy of his landlord as regards his rent. When first admitted to occupation he must pay such rent as may be agreed upon between himself and his landlord. It is true that, if he is afterwards called upon to agree to an enhancement, he may demand a judicial rent for a term of five years. But this provision will be inoperative, for the raiyat will be aware that, unless he comes to terms with his landlord in the matter of rent, the landlord will not formally demand an enhancement, but will sue to have him ejected. Those who know the peasantry of Bengal know that a raiyat will agree to pay any rent rather than face the alternative of ejection from his holding. The provisions of Chapter VI of the Bill will therefore enable the landlord to exact from the non-occupancy-raiyat the highest rent which the land can possibly bear, a rent which will leave the tenant nothing more than a bare subsistence: and the demand of enhancement may be repeated year after year.

It is remarkable, as I have observed, that the amended Bill affords the non-occupancy-raiyat no protection as regards his rent. But it is still more remarkable that it does nothing to facilitate his acquisition of the right of occupancy. It provides, it is true, that he shall not contract himself out of the power to acquire the right. But this stipulation is useless so long as the Bill affords a simple and effectual means of ensuring that the right shall never accrue. The right can be acquired only by 12 years' continuous occupation of village-land. The Bill leaves it in the power of the landlord to rack-rent the non-occupancy-raiyat during eleven years, to evict him in the twelfth, and then to re-admit him and begin the process again. In the populous parts of the country, the raiyat, who cannot live without the land, will have no resource but to submit.

Can it be alleged that such provisions as these redeem the pledges made when the Bill was introduced, or place the non-occupancy-raiyat in the position which he may equitably claim to hold? What was his status under the Regulations of 1793—the contract to which the landlords and their advocates so continually appeal? He was entitled (as Mr. Justice O'Kinealy has shown) to hold at the customary rate, and was not liable to eviction, except for non-payment of rent. What is his status under this Bill? He is a mere tenant-at-will, with absolutely no rights beyond those which his landlord may be pleased to allow him. It may not be possible to revert at the present day to the conditions of 1793, but at least it is reasonable to ask that the legislation of 1885 shall not place the non-occupancy-raiyat in a worse position than he held in 1859.

I cannot admit that there is any force in the plea that the landlords, as a body, are not likely to strain to the utmost the powers given them by the Bill. The legislature is not justified in putting one class of men at the mercy of another class, on the chance that the latter will use their irresponsible power with moderation. And I must add that I feel no assurance that, as regards the accrual of the occupancy-right, these powers will be moderately used. I have already quoted the words in which the Hon'ble Member who introduced the Bill referred to "the vigorous efforts now being made by landlords to prevent the natural growth of occupancy-rights". There is overwhelming evidence before the Council to show that this feeling among the landlord class is widely spread and deeply seated. I apprehend that landlords will not fail to use largely the opportunities which this Bill will give them. They will not merely prevent the growth of the right over lands now held by non-occupancy-raiyats, but, as occupancy-holdings from time to time fall into their hands by death, abandonment or surrender, they will treat the new tenants of these holdings in the same manner. "There could be no greater misfortune to the country", said the Famine Commissioners, in a passage which I have already quoted, "than that the numbers of the occupancy-class should decrease". The provisions of the amended Bill seem to me to threaten the country with this misfortune.

For these reasons I am unable to assent to the Report, or to regard the Bill, in the form which it has now assumed, as an adequate and final settlement of the questions raised in this great controversy. If the Bill is to be accepted, it must, I think, be accepted only as an instalment of the legislation necessary to place the relations of landlord and tenant in these Provinces on a secure and satisfactory basis.

H. J. REYNOLDS.

Minute of Dissent.

The present rent law has been in operation for the last 25 years. One would have thought that legislation which aimed at an amendment of that law would be directed to such defects and objectionable provisions in it as judicial administration during this long period had brought to prominent notice. But this is far from the actual state of things. Upon one point, indeed, there was a consensus of opinion. The Government and the zamindars alike were agreed that the present procedure for the recovery of rent was lamentably defective. So acutely did the Government feel the difficulty that they caused special enactments to be passed by the Local Council for securing for themselves a summary procedure for the recovery and settlement of rent in their own estates, while the zamindars were left to follow the procedure which Government in their own case were compelled to abandon. When, again, the obligation of collecting the road and public works cesses was imposed upon the landholders, distinct promises were made to them that they should obtain statutory facilities for the recovery of rent by suit in Court. And when two Bills were introduced for the purpose in the Local Council (and neither of them was carried through) it was observed by the President from his place in the Local Council that "only the procedure sections (those for the more effective realisation of rents) should be proceeded with." So far, therefore, the very facts, which point to legislative action clearly show that there was no necessity for a substantive amendment of the Rent Law. There was besides the unwarrantable Proclamation issued by Sir George Campbell in 1872, setting forth that "it is perfectly lawful to unite in a peaceable manner to resist any excessive demands of the zamindars; but it is not lawful to unite to use violence and intimidation." For, the Pabna disturbances which occurred about this time, and the significant declaration of the raiyats that they had become the direct tenants of Her Majesty showed not that they were rising in arms against a Government which they meant to condemn as unmindful of their requirements, but that they considered themselves powerful for the assistance they had secured and that they were possessed of the upper hand over their landlords to whom they were liable for arrears of rent. In fact, before the Report and draft Bill of the Rent Commission were published in July 1880, no complaint was made on behalf of the raiyats about the harsh operation of any of the sections of the law and no suggestion for a revision of its fundamental principles emanated from any judicial officer. On the contrary, Sir Barnes Peacock had expressed as his decided opinion that the occupancy section was operating unjustly against the legitimate interests of the landholders and that it should be abolished. And it would be extraordinary to treat Sir Barnes Peacock's recommendation or the Government promise of a summary procedure for the recovery of rent as evidence of necessity or justification of a Bill like the one before Council which, in our opinion, makes serious inroads upon the ancient rights and privileges of the landholders. The draft Bill of the Rent Commission was based almost wholly upon theory and speculation, and its many innovations have only been shown up but never proved justifiable in the different stages through which it has since passed. In the meetings of the Select Committee, on which we had the honor to sit, the authority of the Rent Commission was invoked in support of several of the provisions of the revised Bill; in some cases the opinions of the Bengal Government contained in their letter of the 15th of September last was appealed to; in some the opinions submitted by public officers on the requisition of the Bengal Government were pressed into service; and in others again, it was advanced that it would be unwise to disturb the resolutions passed by the Committee last year. Authority ranging under one or other of these heads was no doubt forthcoming in support of the different sections of the revised Bill, but we do not see how this could be convincing to the Legislature in the absence of evidence duly tested by cross-examination by the members of the Select Committee. The advantages of cross-examination are sufficiently well-known and it would certainly be no disrespect to the most talented person or the best qualified expert if a man of inferior ability sought from his place in the Supreme Legislative Council of the country to satisfy himself by such orderly enquiries as happened to suggest themselves to him. And until such opportunity is offered to the most junior member of the Council, its deliberations must remain very unsatisfactory to itself and to the outside public. The private opinions of even judicial officers, when not confined to experiences of the actual operation of particular sections of the law, do not possess much value, and it would be dangerous to introduce new provisions in a difficult branch of the law on the basis of untested opinions of subordinate officers. When a learned judge of the High Court reads the Regulations to mean that "no lease was valid till it had been submitted to, and approved by, the Revenue Authorities;" and when another learned Judge of the High Court adduces the passage in Regulation II of 1793, *vis.*, "the property in the soil was never before formally declared to be vested in the landholders" as "conclusive on the point that the soil was not the property of the zamindars," we believe no apology is needed for our not placing implicit faith in the extra-judicial opinions of distinguished officers of Government. As regards the condition of the people and the necessity of radical changes in the law, in other words, the policy of the measure, if high officers of State, judicial and executive, may speak with any authority, it is no small accession of strength to those who are opposed to the main principles of the Bill to be able to say that a majority of Divisional Commissioners and not a few District Judges, share in their views.

Justice Cunningham's Minute,
paragraph 16.

Justice O'Kinealy's Minute,
paragraph 4.

But these opinions and the opinions of experienced Subordinate Judges on the operation of the different provisions of the present law have in many cases been undervalued by the majority of the Select Committee and consideration shown for the opinions of much less experienced officers upon a perfectly unsupportable estimate of personal weight. We shall have occasion further on to refer to some of these opinions. As regards the general features of the Bill it appears to us that vested rights of landholders have been interfered with without the sanction either of juridical principles or the formally declared authority of the Executive Council; that rights have been created in favor of one class of subjects and at the uncompensated cost of another class which, to say the least, are of dubious benefit to the country at large. and looking to the large question of growth of population and famine difficulties the changes are simply calculated to augment, rather than relieve, the pressure on Government. The changes proposed to be introduced by the Bill will have the further effect, of making, in opposition to well-established principles of Government the judicial administration subordinate to the Executive authorities in many respects. And lastly, the changes alluded to are sure to bring about such an extent of litigation and uncertainty in dealings out of Court, that we shudder to think of the subject barely as inhabitants of the country and apart from our interests as landholders and from our feelings as the representatives of the landholders of Bengal and Behar. By a consensus of opinion, official and non-official, the result of the operation of the present law has been to place the whole body of raiyats in a condition of prosperity superior to what they previously enjoyed, and to what is enjoyed by the corresponding classes of people in any the smallest corner of this immense continent of British India. There would be no objection to that condition being made still better if it could be done without interfering with the welfare of the other classes. But we strongly believe that far from benefiting the tenantry the measure, in its present shape, if put in operation, will effect their ruin as a class, or in any case of the honester and poorer portion of them, by endless and harassing litigation. The very discussion of the measure upon the lines disclosed in the Bill is fraught with dangerous consequences upon the rural economy of the country and the firm social relations between class and class of the subject community, and between all classes and the Government at the head. We shall now proceed to examine some of the objectionable provisions of the Bill in detail.

Section 5 (5).—The rule that whenever the area of a holding exceeds one hundred bighás, the raiyat shall be presumed to be a tenure-holder, is arbitrary and opposed to fact. There are many districts in which holdings, each exceeding a hundred bighás, are not uncommon, but the tenants thereof are raiyats all the same. As no written engagements are usually exchanged, landholders will find great difficulty in rebutting the presumption which this clause will raise, while on the other hand the divisions and sub-divisions created by Hindu and Muhammadan rules of succession will ere long present the spectacle of tenures comprising of only 20 or 30 bighás of land cultivated by the holders thereof.

Sections 8 and 56.—The power given to the Court to direct in the case both of tenure-holders and raiyats, that the enhancement of rent shall be gradual, is novel. As the enhanced rent represents what the landlord is entitled to get, and what the Court considers to be fair and equitable under the circumstances of the case, the provision in question is wholly indefensible. Lord Bramwell truly observed with reference to this provision.—“Now what consideration would influence the Court; I do not know whether if the tenant had got half a dozen children it would be a hardship upon him to have his rent suddenly enhanced I do not know. We do not see how that can be taken into account, indeed, what could be taken into account really under such a clause as that.”

Sections 9 and 37.—The change of the minimum period from 10 to 15 years for which an enhanced rent should obtain currency, is equally arbitrary. Both in the draft Bill of the Rent Commission and the Bill introduced into the Council, the period was 10 years. Although landholders are lawfully entitled to claim enhancement whenever there is a rise in the value of produce and consequent depreciation of the exchange value of money, the limitation of 10 years would be an effectual check to oppressive repetitions of claims for enhancement; but considering the strides the country is daily making in material progress, the extension of the period is wholly unwarrantable.

Section 18.—The provision to extend to a raiyat holding at a rent or rate of rent fixed in perpetuity the same rights of transfer and succession that belong to a tenure-holder is wrong in principle. The same considerations which have induced the committee to expunge the sections regarding free sale of occupancy-rights hold good in the case of these raiyats as forcibly as in the case of other occupancy-raiyats. The landholder's objections to a free sale no less than economic considerations in the interests of the raiyats do not lose a particle of their force, whether the raiyat is protected from enhancement or he is liable to pay a fair and equitable rent. The practical operation of the section would, moreover, be productive of the greatest confusion. Every raiyat will claim to hold at a rent or rate of rent fixed in perpetuity, as by so doing he would not only secure to himself a right of free sale, but also protect himself from the conclusion that his rent is liable to enhancement. It would be suicidal on his part to behave himself otherwise than as a raiyat contemplated by this section and thus without any struggle with his landlord to confess himself a raiyat whose rent is liable to enhancement. But what is the Registering Officer, the Court and the Collector to do when a raiyat applies under Chapter III for the registration of a transfer of his holding? Is the Registering Officer or the Collector to enquire and decide in every such case whether the holding is protected from enhancement, or is he to exercise an arbitrary discretion in the matter? Again, is the section to apply to a

raiyyat who holds at a rent or rate of rent fixed in perpetuity, but whose rent has nevertheless been enhanced by reason of improvements made by his landlord or by reason of his having been found in possession of more land than what he pays rent for? The difficulty would, to a certain extent, be remedied if it were provided, that the provisions of Chapter III should be made applicable only to those raiyyats whose rents are protected from enhancement by a registered lease or judicially declared title.

Section 20 (5).—This sub-section provides that for one year after a man has ceased to hold any land as a raiyyat in a village he shall continue to be a settled raiyyat in that village. This is wholly anomalous. A man cannot have ceased to be a raiyyat and still continue to be a raiyyat at one and the same time. The provision contained in Section 87 in respect of apparent and not actual abandonment would be a sufficient protection to the raiyyat in cases contemplated by this sub-section which involves a contradiction in terms.

Section 20, Sub-section 7.—The rule of presumption created by this sub-section is a downright perversion of the law of evidence. Nothing is more easy for a raiyyat who has held land for 12 years than to prove his possession by the production of his rent receipts. It is not altogether an easy matter for the landholder to prove the negative. Even supposing that there has been no change of hands in the proprietary title, a landholder would be unable to prove his papers if within 12 years there have been changes, as there frequently are, by deaths, dismissal and otherwise, in his collecting agency. The difficulty would be unsurmountable in the case of auction-purchasers who would have no means whatever at their disposal for rebutting the presumption.

Section 21.—The provision contained in sub-section 1, to the effect that a settled raiyyat shall have a right of occupancy in all land for the time being held by him cannot be supported on any considerations which justify the accrual of a right of occupancy. It is no reason that because a man has a right of occupancy in a certain plot of land that the right should extend by possession for a single day to every plot of land that might be let to him. This is directly opposed to the Despatch of the Secretary of State. It is, moreover, a provision which will act injuriously on the settled raiyyats themselves. They will hardly get new lands for cultivation which landholders will take care to let to non-occupancy raiyyats and strangers with a view to prevent the accrual of a right of occupancy.

Section 21 (2).—The effect of the operation of sub-section (2) would be to give a raiyyat a right of occupancy in land which he has held "at any time between the 2nd day of March, 1883, and the commencement of this Act," although such land might have passed to the possession of the landholder or another raiyyat by abandonment, surrender or transfer at some time within that period. Nothing could be a more fruitful source of litigation.

Section 22, Sub-section 1.—This sub-section introduces the doctrine of merger in a matter relating to landlord and tenant not for the purpose of preventing in the spirit of the Ruling reported in 10 Indian Law Reports, Calcutta 45, the acquisition of a right within a superior right, but for the purpose of merging an existing right in the superior right. For reasons explained by Sir Barnes Peacock in a case reported in 10 W. R. 15, this is quite opposed to the system of land-tenures and the condition of the country. The provision is the more objectionable as it saves the right of third parties in the land. The landholder would, therefore, get the land which comes to his possession by purchase, ejectment, abandonment or surrender subject to all the encumbrances created by the out-going tenant. Provisions have been made, it is true, in subsequent sections for defining what would be deemed to be valid encumbrances in different cases, but the language of this sub-section is absolute.

Section 25.—As the provision for a free-sale of occupancy-holdings has been abandoned, this section should provide for ejectment for non payment of rent. A sale of the holding at the instance of the landholder in execution of a decree for rent would, in every case, heap upon the raiyyat additional costs which the sale proceeds might not cover and would thus entail loss both upon the landholder and the raiyyat. Ejectment would be a simple and effective remedy to the landholder, while the raiyyat would always be able to prevent it whenever his holding is worth more than the amount of the decree.

Section 29 (1).—It might well be taken as an established fact that the price of produce has quadrupled since 1793, and at least doubled within the last 30 years. The productiveness of land has also increased immensely. The restriction which this section imposes upon enhancement by contract to 2 annas in the rupee is therefore most arbitrary. The rule involves a serious infringement of the rights of landholders. The right which the Government of India, when introducing the Bill, assumed it possessed of determining the rates of rent payable by raiyyats to their landlord has, I venture to think, been found to be non-existent. A close examination of it will show it to be wholly unfounded. The question, it is well known, engaged the attention of a Select Committee of the House of Commons in 1832, and the conclusion to which they came after a searching enquiry can hardly be ignored at the present moment. They observed—"unless the Government should either, by public or private purchase acquire the zamindary tenure, it would under the existing Regulations be deemed a breach of faith, without the consent of the zamindars to interfere directly between the zamindar and the raiyyat for the purpose of fixing the amount of land tax demandable from the latter under the settlement of 1792-93." The proposed restriction is, however, altogether uncalled for by the circumstances of the country. No evidence whatever has been adduced to show that the raiyyats in any parts of these Provinces are rackrented; all the evidence on the contrary goes to show that landholders have been extremely moderate and forbearing in the matter of settlement of rent with their raiyyats. The ratio which rent bore to the value of annual produce at the

time of the Permanent Settlement varied according to Sir John Shore from $\frac{1}{2}$ to $\frac{2}{3}$ ths, and although the landholders were clearly entitled to get from time to time such enhanced rents as represented the changed value of money according to that ratio, it is an undisputed fact that the ratio which rent bears to the annual value of produce at the present day ranges in different parts of these Provinces from $\frac{1}{10}$ to $\frac{2}{3}$ ths. Apart therefore from the question of legal rights the restriction in question is a great injustice to the landholders. The effect of the rule on the economic condition of the country would be an unmixed evil. The experience of every country has confirmed Arthur Young's observation that low rents always act as a damper upon industry and ultimately tells seriously upon the condition of agriculture and the prosperity of the cultivating class. The restriction in question will no doubt be felt by the raiyats as a benefit for a few years but ere long the profits of the holdings will give rise to a large class of under-raiyats, increase sub-infendation to an alarming extent, and thus make a definite area of land feed two, perhaps, three families of raiyats in the place of the one that it is now feeding. In these Provinces where, according to the figures given in Dr. Hunter's Statistical Accounts, more than one-fourth of the average cultivable area is still uncultivated, not one of the least deplorable consequences of such a state of things would be to check the extension of cultivation and the progress of emigration. The question presents another aspect. Would this legislative embargo effectively control the law of demand and supply? Can the legislature force the principles of political economy to bow to its dicta? If a raiyat and his landlord agree between themselves as to the extent to which the rent should be enhanced, ways and means would not be wanting to give their agreement the form of a binding contract. After the terms have been agreed upon the landholder may sue the raiyat for enhancement at a certain figure and the raiyat may confess judgment in Court, or the raiyat may give the zamindar's *as salami* the capitalized value of the increase in excess of the enhancement allowed by law. The parties may have recourse to other shifts and devices to defeat the law. But perhaps the history of the provision is its strongest condemnation. The draft Bill (section 71) of the Rent Commission provided that there should be no limit to enhancement by contract. That provision was maintained in the draft Bill (section 63) of the Bengal Government, and also in the draft Bill (section 63) which was sent up to the Secretary of State in Council. It was the Bill which was sent up to the Secretary of State in Council. It was the Bill which was introduced in Council in March 1883, which for the first time provided (section 59 (2)) that the increased rent should not exceed 6 annas in the rupee. The Select Committee in the course of deliberations last year reduced the limit to 4 annas in the rupee (section 41). At a meeting of the Select Committee, held on the 8th ultimo, a motion was made on the part of the Bengal Government to reduce the maximum limit to 2 annas in the rupee, but it was not supported by a single member, and it was therefore not carried. The motion was renewed on a subsequent date in connection with the question of a maximum limit to enhancement by suit in Court and carried by a majority. It should be further observed that the extension of the minimum time from 10 to 15 years during which the enhanced rent should obtain currency, was for the first time made by the Select Committee last year; the draft Bill of the Rent Commission, the draft Bill of the Bengal Government, the draft Bill of the Government of India, and also the Bill which was introduced in Council in 1883, all fixed the minimum period at 10 years. The objections to this limit which we have mentioned with reference to tenures apply with double force in the case of raiyati holdings.

Section 29 (2).—This sub-section contemplates an exercise of powers by the registering officer which is likely to do the raiyat more harm than good. Registering officers are not expected to exercise judicial powers, and yet in the face of his opinion under this sub-section, it would be difficult for a raiyat to prove in the Civil Court that he was not at the time in a sound state of mind, or that he was not competent by reason of his minority or other disability to enter into the contract.

Section 50 (b).—The alterations made by this section in the grounds on which a suit for enhancement of rent may be instituted would deprive landholders of enhancement which is justly due and at the same time introduce unnecessary complications in the law to the injury both of the landholder and of the raiyat. There will be no enhancement on the ground of a rise in price unless the rise is in respect of the price of the staple food-crops. By section 39 (7) the local Government has to determine what shall be deemed to be staple food-crops in these provinces, and it appears from a letter written by the Revenue Secretary to the Government of Bengal to the Secretary of the British Indian Association, dated the 23rd February 1884, that "the Lieutenant-Governor would probably declare to be staples the two food-grain crops (apparently rice and wheat) which appear * * to be most largely produced in each district." The effect of this alteration would be very harmful. The landholder would get no enhancement for a large rise in the price of jute, sugarcane, or potato, if there has been no rise in the price of rice; while on the other hand a raiyat cultivating simply jute, sugarcane, potatoes or pulses would have to pay not only enhanced rent to his landlord but also to spend more money for his living if the price of rice has risen although the price of these other crops has fallen or remained stationary. It is easy to see that in some cases the operation of this section would be disastrous to the raiyats.

Section 50 (c & d).—The alteration made in the ground of enhancement relating to increase of the productive powers of the land is equally objectionable. These clauses provide for enhancement when the increase is due either to improvements effected by the landlord, or by mutual action; but there are other causes of improvement for which the landlord is undoubt-

edly entitled to get enhancement of rent. Where, for instance, a change in the course of a river, a new railway, a new public road or a new Government embankment frees land from periodical inundations or from frequent trespasses by cattle or wild animals, any rule which deprives the landlord of his share of the benefit of the improvement militates against the very principle on which enhancement on the ground of improvement of the land is based. The alteration in this ground of enhancement has necessitated the introduction of a number of sections about landlords' improvements, and enquiries into the same and registration thereof which might well have been omitted.

Section 31 (a).—There is no justification for the rule contained in this clause to the effect that a landholder, claiming enhancement on the ground that the rent paid by a raiyat is below the prevailing rate should prove the rates of rent paid during a period of not less than 3 years. If the majority of the raiyats of a village have agreed to pay a certain rate of rent and paid that rent by reason of a rise in the price of produce or improvement of the land, why should the landholder have to wait for 3 years before he could sue the remaining dozen or score of raiyats for enhancement of rent at that rate? If these raiyats have any grounds entitling them to continue to hold at a lower rate of rent they may prove such ground as well at the time as 3 years after.

Section 32 (a).—Enhancement of rent on the ground of a rise in price of produce would be more visionary than real if, in addition to the other limitations, the restrictions contained in this section are allowed to stand. The Court is required to ascertain the price by comparing the average prices during the 10 years' immediately preceding the date of suit. An average of such a long period will necessarily reduce the rate of enhanced rent and deprive the landholder of his proper dues. It would be enough, for the purpose of determining whether a rise in price is merely casual or steady if the average of 3 years is taken. In connection with this matter it is noticeable that section 38, which provides for reduction of rent on the ground of a fall in the price of produce does not contain the rule to which I object. In all fairness, the rule of procedure should be the same in both cases, but from the way in which section 38 is worded there is nothing to prevent the Court from decreeing reduction of rent on the basis of an average of 2 or 3 years.

Section 32 (b).—The restriction to enhancement contained in this clause is based on a wrong assumption of facts and on false reasoning. The clause provides that, for the purpose of determining the enhanced rent according to the rule of proportion, the average price should be reduced by $\frac{1}{3}$ rd of the excess, that fraction representing the increased cost of cultivation. The portion of the Report of the Bengal Government (segment 44), on the basis of which the rule has been introduced, proceeds on wholly erroneous data from beginning to end. Enhancement by the rule of proportion as contained in the first part of this clause involves three different contingencies as regards the costs of cultivation. The costs of cultivation (1) might have increased in the same ratio as the price of produce; (2) they might have increased in a less ratio; (3) they might have increased in a greater ratio. If these costs be taken into consideration the result, by the rule of proportion, would be wholly unaffected in the first case; the landholder would be entitled to get more in the second case in the shape of enhanced rent than he would otherwise get, and it is only in the third case that the raiyat would be entitled to a reduction in the enhanced rent. But where is the evidence to show that the costs of collection have increased in a greater ratio than the price of produce? The statement made by some of the officers to the effect that the costs have increased goes for nothing, as they may have increased in the same or in a less ratio than the price of produce. To illustrate our meaning we shall take a hypothetical case. Let the value of the annual produce of a bigáh of land be Rs. 8, of which Rs. 3 represents the costs of cultivation Rs. 3 the rent and Rs. 2 the profit of the raiyat, and let the rise, as assumed by the Bengal Government for purposes of illustration, be 25 per cent. in prices, so that the value of the annual produce has become Rs. 10. Then, under the simple rule of proportion, the enhanced rent would be Rs. 3-12, the profit of the raiyat under the rule of proportion would be Rs. 2-8, and the balance Rs. 3-12 would represent the costs of cultivation. The rule of proportion, therefore, assumes that the costs of cultivation have risen in the same proportion as the price of produce—an assumption which in a majority of cases is far more favorable to the raiyat than to the landholder. It is this which induced the learned Judges in Thakurany Dasi's case to hold that the cost of cultivation should not be taken into calculation in working the rule of proportion. The report of the Bengal Government states: "Thus if prices rise 25 per cent. they would increase the rent $12\frac{1}{2}$ per cent., and allow the other $12\frac{1}{2}$ per cent. to go as an allowance for increase in costs of production." It is easy to see that this is both arithmetically and logically erroneous. If $12\frac{1}{2}$ per cent. be allowed for costs of cultivation out of the landholder's share, the actual allowance for such costs would be $37\frac{1}{2}$ per cent.

Section 33 (a).—The necessity of registering landlord's improvements created by this section would involve an amount of expensive enquiry which few landholders will care to invite, and the result will, therefore, be to deprive them of enhanced rents to which they are fairly entitled.

Section 34 (b).—Where land is washed away or covered with sand, it is the landlord who suffers. A portion of the land on which lay the security for his revenue is gone. The raiyats who held the land would be welcome to cultivate other plots of lands, but the loss to the landholder is irretrievable. As some compensation for such cases, might not they reasonably ask that they should be allowed the whole benefit of improvements in land caused by natural causes?

Section 38 (b).—The same rule of procedure as regards the determination of average prices should hold good both in cases of enhancement and reduction of rent. If it be an average of 10 years in the one case let it be the same also in the other.

*Section 40.—Few provisions in the Bill will do more harm to the Behar landholders than the provision contained in this section for the commutation of produce rent into money rent on the application of the raiyat. The institution of payment in kind is one eminently deserving of every encouragement at the hands of the legislature. A Government settlement-officer has rightly observed: "It gives the landlord a fair profit in any improvement he may make; the rents are self-adjusting; the tenant is not driven into debt to meet a fixed demand; if he borrows, he borrows from his landlord, a less exacting creditor than the village banker, and a feeling of mutual interdependence and self-interest is created between landlord and tenant; the former is more than a mere rent collector, his own prosperity depends on that of the cultivator." If commutation is allowed at the instance of the raiyat it would entail all the trouble, expense and litigation inseparable from settlements of money rent, involve raiyats in debt, and seriously affect the cause of agriculture. Lands for which produce rents are paid usually require the co-operation of the landholder for their cultivation. In most places, as in the districts of Patna and Gaya, such co-operation is indispensable. The utter uselessness of attempts on the part of individual raiyats to cultivate such lands without the help of the landholder is nowhere better explained than in the very valuable letter written on the subject by Bābū Bimpson Singh, Government Pleader of Gaya. He writes: "Because, in the first place, his holding being scattered in small plots and patches all over the village area, many at considerable distances from the *ahars* and *pylons*, he will not think it worth his while to spend any money upon the construction and repairs of the common reservoirs and water-courses; secondly, because he has not the means, nor has he any credit with money-lenders, to raise the required sum by loan; thirdly, because, in the present state of the country, the habits of the people, their ancient and inherited mode of thinking, and their want of confidence in each other, so natural in monetary transactions among the ignorant and illiterate mass to which the majority of the cultivators belong, would make combination and raising up of subscriptions among themselves, creation of a joint common fund and the appointment of trustees for the proper management of such a fund, anything but practicable within the bounds of possibility; fourthly, because, assuming, even for the sake of argument, the possibility of the creation of such a fund and the appointment of such trustees as aforesaid, the mob would be without a lead, and each raiyat having paid for the common reservoirs and water-channels would claim the priority of irrigating his fields, and try to assert his rights or supposed rights, by means, fair or foul, which would often lead to serious affrays, resulting in the "breaking of bones and shedding of blood, and sometimes terminating in murders and man-slaughters."*

Chapter VI.—The rights given by the Bill to a non-occupancy raiyat will, to all intents and purposes, convert him into an occupancy-raiyat. He may (section 85) sub-let his holding so as to make the sub-lease binding for 9 years, although his own tenure might be for a much shorter time. The landlord will have no power to eject him for refusal to pay enhanced rent. He must serve upon him a notice of enhancement, sue him in Court, and it is only when the raiyat refuses to pay rent at the rates paid by occupancy-raiyats that the landlord may get a decree for ejectment. A non-occupancy-raiyat may (section 79), as a matter of right, dig a well, and erect a dwelling-house and out-offices on his land and make any other improvement after having first served a notice on his landlord requiring him to do so. When a decree for ejectment is passed the Court may extend the time beyond 15 days, the raiyat will be entitled to get from his landlord the price of the crops, if any, on the land or the cost of the preparation of the land and also (section 82) compensation for improvements made by him. If the landlord applies for a record and settlement of rights, or if the process is forced upon him by the Local Government, the rent of the non-occupancy-raiyat, whether enhanced or reduced, will hold good for 5 years. All these provisions are violent inroads upon well-recognized rights of landholders. It appears to us, however, that the effect of their operation would be to place non-occupancy-raiyats in a much worse position than at present. Having an absolute right of ejecting such a raiyat on the expiry of the term of his lease, the landholder will in every case grant short term leases with a view to protect his interests and thus reduce non-occupancy-raiyats to mere tenants-at-will. For the purpose of providing for the comparatively small number of cases in which landholders have not or may not protect themselves by contract, a number of sections have been introduced in different parts of the Bill which might well be omitted. They simply add to the radical aspect of the measure without doing any corresponding good.

Chapter VII.—I shall discuss the provisions of this chapter along with section 85 which might well have formed a part of this chapter.

Section 50 (2).—The operation of the rule of 20 years' presumption has been most injurious to the landholders. Instead of merely giving the raiyat a facility for proving that he and his ancestors before him have been in possession by payment of rent at a uniform rate since 1793 in cases where he has been actually in such possession, it has, like a rule of prescription or of limitation, created rights where none existed before. By the very circumstances of their position the landholders have been unable in most cases to rebut the presumption. Those landholders whose families have been in possession of estates since 1793 form a very insignificant number, the vast majority having acquired their estates by purchase since that time, and as it is notorious that the records of landholders are badly kept, and the climate of the country is inimical to the preservation of old records, it is easy to see that excepting a very few cases landholders have

been wholly unable to discharge the burden laid upon them by law. The injustice of this rule of presumption has been exposed by none so well as by the Hon'ble Mr. Reynolds in the report which accompanied his draft Bill. He is supported in this respect by a large number of experienced Revenue Officers, District and Subordinate Judges, who were consulted by the Bengal Government on the subject. Mr. H. L. Dampier, Mr. E. E. Lewis, Mr. G. N. Barlow, Mr. Kean, Mr. D. W. Dayly, Mr. R. Porch, Mr. A. Weekes, Mr. C. B. Garrett, Mr. J. Tweedie, Babu Srinath Rai, Babu Bhugaban Chandra Chakerbutty, Babu Naffar Chandra Bhutta, Syed Moazim Hossein and others have recommended either the abolition of this rule of presumption or a material modification of it. Considering that the rule is opposed to the recognised principles of evidence, that it is opposed to the fact that from $\frac{1}{4}$ to $\frac{2}{3}$ of the area of these provinces was waste at the time of the Permanent Settlement, that it has been in operation for the last twenty five years during which all who really required it and many more have had their titles judicially declared, that it places in the way of auction-purchasers, seeking to get their just dues, obstacles which are practically insurmountable, and that it would operate in future with double hardship upon the landholder, it is but fair to him that the rule should be expunged from the Bill. The justice and necessity of its abolition cannot be better supported than by referring to section 190 of the Bill. When Government with all the means and appliances which a well kept and organised system of accounts placed at their disposal, find it necessary to protect their own interests by freeing those khans mehals which have never been permanently settled (and these form the majority) from the operation of this rule of presumption, how much more imperative must be the necessity for an amendment of the law in the interests of private landholders?

*Section 50 (3).—*The question as to in what cases the rule of 20 years' presumption, notwithstanding that land has been added to or taken from a holding should apply should be left to the decision of the Courts, according to the merits of each case. A hard-and-fast rule, that the presumption shall apply to all cases of consolidation or reduction of holdings may be fraught with great mischief. The remarks of Sir R. Couch in this connection contained in a ruling reported in 21 W. R. 267 are well worth considering.

*Section 56 (4).—*Considering that section 58 gives the tenant full remedy for refusal or neglect on the part of his landlord to give him a receipt in proper form, this sub-section is wholly unnecessary. It is likely to prove a fruitful source of litigation by holding out to the tenant a prospect of discharge from all liability, if he can shew that his landlord has not put in some one particular in his receipt although it might have been from ignorance or oversight.

*Section 58.—*A demand of the receipt by a letter under a registered cover should precede the institution of a suit for recovery of penalty. The section, as it is, would offer a great temptation to the tenant to refuse to take the receipt and sue his landlord for recovery of double the amount paid by him.

*Section 61.—*Clauses (c) and (d) of this section are objectionable. A landholder's agent might have once refused to take rent from a raiyat on the ground of his not being a recorded tenant, or on the ground of some dispute as to the amount of rent, but that is no reason why it should be assumed that he would refuse to take rent at all future time, notwithstanding that the matters in dispute have been settled. There should be a tender of payment in every case before deposit is allowed. Nor should the raiyat be allowed to constitute himself a judge of his landlord's title, and to deposit his rent in Court on the plea that by reason of a suit instituted by a third party, against his landlord, he feels a *bond fide* doubt as to his title to receive it.

*Section 64 (1).—*If this sub-section were made applicable only to rents deposited under clause (d) of section 61, we should have nothing to say; but we strongly object to it as it clearly refers to all classes of deposit of rent. The Court should certainly have no power to pay money to B, when the raiyat has deposited to the credit of A.

*Sections 74 and 75.—*Exception should have been made in these sections in regard to such impositions "in addition to actual rent" which are allowed by law. Take for instance the case of zamindari dawk charge, which is by law (Act VIII of 1862, B.C.) payable by the zamindar, but which he may (section 9) stipulate with his raiyats for payment by them. Take again, the case of the road cess. It is payable by law both by the raiyat and his landlord in certain proportions, but there is nothing to prevent the latter to bind the former by contract for the payment of the whole amount by him. Sec. 4, Indian Law Reports, Calcutta, 526. The Salamy which the landholder is clearly entitled to get for parting with a portion of his rights, *e. g.*, allowing the tenant to take earth for brick-making, should also be expressly excepted. This is the more necessary, as the penalty provided in section 74 is very heavy.

*Sections 76—83.—*These sections, about improvements and compensation for improvements have been strongly objected to by landholders. If they are allowed to stand, landholders should be given the prior right to make an improvement, where both they and their raiyat wish to make it; the right of non-occupancy raiyats to make improvements should be taken away, and the difference in this connection between an occupancy-raiyat holding at a fixed rent or fixed rate of rent, and other occupancy-raiyats should be abolished. Section 77 furnishes another instance of the great confusion which will arise, if this distinction is maintained. It is provided in clause (3) that if there is a dispute between the raiyat and his landlord "as to the right to make an improvement," the Collector should "decide the question and his decision shall be final." The Collector must therefore determine finally and conclusively, although quite in an incidental way, whether a raiyat holds at a fixed or enhancible rent.

Section 85.—The effect of the various provisions of the Bill regarding sub-letting and under-raiyats would be to give a great impetus to the progress of the institution, although both the Secretary of State in Council and the Government of India have expressed a desire that the institution should be discouraged. A registered sub-lease will be ordinarily binding for nine years, the sub-lessee's rent may not be enhanced beyond a certain percentage over the lessors' rent, in certain cases of sale of the lessors' title the sub-lease cannot be avoided, and even in cases of abandonment by the lessor he will have the right to hold on if he agrees to pay the rent payable by his lessor. These provisions would be more harmful to landholders and their raiyats than a provision of free sale of occupancy holdings with the restrictions which the revised Bill imposed upon it.

Section 86 (2).—The Bill provides for a notice of six months to be given to the raiyat in a case of ejectment. It is fair to the landholder that he should receive a notice of an equal period in a case of surrender.

Section 86 (3).—This clause is objectionable. The notice may fairly be presumed if the landholder lets the surrendered land to another raiyat in the beginning of the year, but to presume it in any other case would be doing him wrong. To presume the service of the notice from the fact that the raiyat has taken a new holding in the name of a relative or friend would be contrary to all rules of evidence, and to raise the presumption from the fact that the raiyat has ceased for three months to live in the village, would be to expect the landholder to act in a way quite opposed to the provisions of section 87. When the question is one of continued liability of the raiyat to pay rent, he will be presumed to have surrendered his holding simply from the fact of his having ceased to live in the village for three months, but when the question is one of the landholder's right to re-let land which has been abandoned, no abandonment will be presumed till the expiry of the year, in which the raiyat so abandons, and not even then till the Collector on the application of the landlord has published a notice in the locality. It is provisions like these which have given the Bill such an one-sided character.

Section 87.—The attempt made in this section to formulate the nature of evidence required to prove an abandonment, has singularly failed. A raiyat must (1) abandon his residence; (2) omit to make any arrangement for the payment of rent, and (3) cease to cultivate the land, before he can be said under the section to have abandoned his holding. In the case therefore of a pykust or non-resident raiyat, there can be possibly no abandonment of a holding, unless the raiyat abandons his native village belonging to a different landholder. The landholder will have no right to let the lands abandoned by a pykust raiyat to another raiyat until the pykust raiyat "abandons his residence," a contingency which may never happen. Again, there is no reason why a landholder should have to wait for one year, and lose his year's rent, if he is satisfied that the raiyat has really abandoned his holding. The provision for the publication of notice contained in clause (2) and for the recovery of possession by the raiyat contained in clause (3) would be a sufficient check against any *mala fides* of the landholder.

It should be also observed that clause (3) extends the time within which a raiyat may sue to recover possession from one year to two years. This extension of time is under the circumstances of the case, altogether unnecessary, and it will complicate matters, and give rise to litigation. If the land be let in the meantime to a settled raiyat of the village, and if he lets it to another under-raiyat under a registered sub-lease, what an amount of confusion would be caused?

Section 90.—This section takes away important rights of landholders as regards measurement. If the raiyat refuses to attend the measurement and point out his land, clause (2) will place him in no worse position than a raiyat who has attended and pointed out his land. In both cases, the measurement will be presumed to be correct unless the contrary is shewn. The most noticeable defect in the section is however, the absence of any provision for cases in which a landholder, usually an auction-purchaser, is unable to ascertain the raiyats who are in possession of the lands of his estate. A landholder may under such circumstances, it is true, make an application under the Record-of-Rights Chapter, but it would throw upon him not only a deal of expense and trouble but would place him at the mercy of the Revenue-officer.

Sections 93-100.—The strong support which the Bengal Government gave in their Report to the provision for the appointment of managers in joint estates was based on an erroneous assumption that it was the existing law. That law was, however, repealed in 1874 when other obsolete enactments were repealed. Since then no necessity has been made out for a provision like this which will place in the hands of a small fractional shareholder of an estate the power of seriously annoying and injuring his co sharers. Considering that the holders of small estates collect their own rents from the raiyats, the appointment of a manager by Court will eat up all their profits. The facilities which the law and the rulings of the Courts have given for the partition of joint estates have rendered such a provision as this wholly unnecessary.

Sections 101-114.—Both among landholders and raiyats this is one of the most unpopular portions of the Bill. These sections give to the Executive Government a power to convulse rural society to an extent far exceeding anything which any differences arising out of the ordinary relations of landlord and tenant can create. Even under circumstances of agrarian disturbances neither of the contending parties would avail themselves of these provisions. The Agrarian Disturbance Act of 1875 remained a dead-letter so long as it was in the Statute Book. The Select Committee have made these provisions much more objectionable than before by introducing a section (section 111) which gives the Revenue-officers power to reduce exist-

ing rents either on the grounds allowed by law or on any other ground, and we think that in justice to the landholders and in the interests of the raiyats themselves, these sections should be omitted.

Section 116—A record of proprietor's private lands should be made only on his application, as it would otherwise put the landholder and his raiyats to great expense and trouble at a time when there is perhaps perfect peace and harmony between the parties and when neither of them is prepared for the enquiry. The provision empowering the Local Government to order such an enquiry at any time they please, and without any application on the part of the raiyats or their landlord, is, therefore, highly objectionable. **Section 120** involves an anomaly. If a landholder after having cultivated by his own servants a piece of land for 12 years before the passing of the Act, turns it into raiyatti land, he will still be enabled after a lapse of 15 or 20 years, when the record will be made, to claim it as his private land and to get it so recorded.

CHAPTER XII.—The provisions relating to distraint amount virtually to an abolition of the institution. They will give the landholders no greater powers than what the Code of Civil Procedure gives to every plaintiff who may wish to get an attachment before judgment. The landholder looks upon the crops as the security for the recovery of his rent. The sale of the houses and the goods and chattels of raiyats is often times quite inadequate to meet the landholder's claim. In the case of non-resident raiyats the crops raised by them are the landlord's only security for his rent. If they remove the crops before paying the rent the landholder generally loses his rent for the year. The procedure contained in this chapter would therefore result in this, that while the landlord is engaged in making application to the Court and satisfying it of the *bona fides* thereof, the raiyat will quietly remove his crops and the former will not only lose his rent but also the costs of the application. It is a misnomer to call that a distraint which is nothing more or less than a process of Court. The present law on the subject does not give the landholder any power which might be possibly abused. He can only attach the crops, but he cannot interfere with the raiyat's doing what he likes with the crops without the assistance of the Court. It is the fear of the consequences if the raiyat removes the distrained crops that constitute the landholder's whole security for the rent. There have been no complaints on the part of judicial officers of any abuse of the power which the present law allows with impunity. On no point, on the contrary, have public officers expressed themselves more forcibly than in condemnation of the procedure contained in the Bill and in support of the existing law. The Presidency Conference, the Patna Conference, the Rajshahi Conference, the Burdwan Conference, the Orissa Conference and a number of individual officers have recommended the retention of the existing law.

Section 153 (b).—The rule allowing an appeal in all cases should not be interfered with. Rent suits should not be judged by the amount of the claim. Very often they possess an importance to which the value of the suit is no index. All those whom we have consulted are of opinion that it is much better that they should have the constitutional right of an appeal than that their suits should be finally decided by special officers selected by the local Government.

Section 154.—The time within which a suit for enhancement may be instituted should be extended to the first 9 months in order to enable the landholder to judge from the condition of the crops whether he should institute the suit in a particular year. No one would like to institute a suit for enhancement when the prospect of the crops is gloomy or distress is impending over the country.

Section 155 (1).—Provision should be made for service by Court of the notice of ejectment. If it were left to the landholders, as this sub-section does, the service would be denied in most cases and the enquiry would entail unnecessary expense and delay.

Section 156.—A decree for ejectment severs the relation between landlord and tenant. If there be crops on the land they go with the land to the landholders, as ruled in a case reported in 5 Indian Law Report, Calcutta, 135. This section lays down a principle and provides for an elaborate enquiry quite in opposition to the judge-made law on the subject. A raiyat may be ejected only at the close of the year when the crops have been reaped. There is, therefore, no necessity for this section. Moreover, when a raiyat's interest may be sold outright four times in the year, a provision regarding crops in cases of ejectment only would give the raiyat an illusory protection.

Section 160—This section introduces serious changes in the present law regarding what are called the protected interests. There could be no objection to a lease for building or manufacturing purposes granted at a fair rent being protected from avoidance on the sale of the superior tenure as provided in the present law, but this section goes much farther. A lease of land whereon manufactories have been erected, perhaps without the consent of the landholder, and reserving a nominal rent is declared a protected interest by this section; as also judicial leases granted to non-occupancy raiyats and permanent leases granted by the out-going tenure-holder. The effect of these provisions will be that it would be in the power of a tenure-holder to create leases in the names of his servants and relations which would absorb the entire profits of the tenure and then put it up to sale by making default in the payment of rent. Most tenures would be rendered quite valueless in no time if these provisions are retained.

Sections 161—168.—These Sections introduce alterations in the existing law which will prove a fruitful source of litigation. No necessity whatever was felt for provisions like these. If the sale be made in the first instance subject to the registered encumbrances, and then, after the sale proceeds have been found to be inadequate, a second sale be made with power to avoid such encumbrances, it would saddle the judgment-debtor with unnecessary costs, reduce the market value of the tenure and delay the realisation of money due to the landholder. These

evils would be greatly enhanced if the procedure be extended by the Local Government to sales of occupancy holdings under Section 168.

Section 177.—The preamble of Regulation V of 1812 shows that although the Legislature of 1793 enjoined the exchange of written engagements between landholder and tenant, the raiyats of these Provinces in a body deliberately refused to enter into written engagements which would make it obligatory on them to pay as rent, cesses, and abwābs which they had been paying as benevolences, and that that Regulation was passed, among other objects to provide for such refusal. Since that time there has been vast progress in the material prosperity of the country, in the spread of education and in the condition of the raiyats. They might well therefore be left to the resources of their own judgment in matters relating to their own interests. They will be perfectly free to contract away their liberties and become emigrants in a strange country, to borrow money at usurious rates of interest involving their ultimate ruin, and to mortgage their holdings or sell them in some cases, and yet this section imposes restrictions upon freedom of contract in a variety of matters in which they are the best judges of their own interests. It is very doubtful how far these would be effective in practice and how far they would prevent parties from having recourse to shifts and devices for the purpose of evading the law. These provisions, it should be observed, offer a striking contrast to the provision contained in section 192. In the case of private landholders, free contract is restricted in the interest of raiyats; in the case of Government no contract entered into by a landholder with his raiyats before the property came into the hands of Government would be respected if it interfered with the right of Government to assess fair and equitable rent upon the land.

Section 182.—This Bill should have nothing to do with homestead lands in towns and trading places. Where homestead lands do not form part of a raiyatti holding its incidents should be left to custom and contract.

Section 181.—The schedule to which this section refers has extended from one year to two years the time within which a raiyat dispossessed by his landlord may sue to recover possession. We see no reason why this alteration in the existing law should be made.

Section 186.—A provision which converts into a criminal offence acts, otherwise not criminal, which relate to the daily transactions of life is most objectionable. The provisions of the section are, moreover, very one-sided. In the case of the landholder, for instance, an "attempt to distrain" would be a criminal offence, but in the case of the raiyat not only is an attempt to resist distraint or remove distrained crops not criminal, but he may remove crops stored for division or appraisalment under the Danabundy system without subjecting himself to any penalty, civil or criminal.

Sections 191 & 192.—For reasons stated in different parts of this Dissent, these two sections should be omitted and Government should be placed in exactly the same position regarding landholding rights as private landholders.

Section 196.—We do not see either the necessity or the value of this section. If the Acts of the Local Legislature in any way conflict with the provisions of this Bill such Acts would be rendered inoperative by the Indian Councils Act, 1861. If those Acts provide for matters not embraced by this Bill they would have the force of law without any provision like this.

Schedule I—We strongly object to the sections of Regulation VIII of 1793 mentioned in this schedule being omitted. They contain the most important provisions on which the Permanent Settlement was based, next in importance only to the provisions fixing the revenue in perpetuity.

We desire to say, in conclusion, that the Bill does not provide for any summary procedure for the recovery of rent. By making an express provision for decrees directing recovery of rent by instalments, by extending the time before a sale can take place from 20 to 30 days from the date of the proclamation, and by giving the Courts discretion to extend beyond 15 days the time within which a raiyat might protect himself from ejectment by payment of the decreed amount, the Bill has, on the contrary, thrown additional obstacles in the way of recovery of rent.

Considering the importance of the measure and the material changes in the Bill made by the Select Committee since their Preliminary Report was submitted last year we think that it should be republished before its provisions are taken into consideration by the Council.

PEARI MOHAN MUKERJI.
LAKSHMESHWAR SINGH.

12th February 1885.

I wish to add that I regret that my unavoidable absence from the Meetings of the Select Committee in the last stage of their labors and the very short time at my disposal between the receipt by me of the draft report of the majority of the Committee and the date fixed for the submission of the report to the Council, prevents me from recording my opinions at greater length. I adhere to the opinions expressed in my last year's dissent. The measure as a whole is even now opposed to the just rights of the proprietors of land and detrimental to the best interests of the entire community. If not withdrawn, it still requires further and serious consideration by the light of actual ascertained facts and circumstances of the country as opposed to mere opinions and *ex-parte* reports.

LAKSHMESHWAR SINGH.

12th February 1885.

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SCHEDULE I.—REPEAL OF ENACTMENTS.

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*Bengal Tenancy Bill.**(Chapter I.—Preliminary.—Secs. 1—3.)***No. III.***Explanation of abbreviations in margin.*

D. means Mr. Field's Digest.

C. B., the Bill prepared by the Commission.

B. B., the Bill submitted by the Bengal Government with letter No. 849, dated 27th July, 1881.

SECTION means the corresponding section of the Bill No. II, dated March, 1884.

A

BILL

TO

Amend and consolidate certain enactments relating to the Law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal.

WHEREAS it is expedient to amend and consolidate certain enactments relating to the law of Landlord and Tenant within the territories under the administration of the Lieutenant-Governor of Bengal; It is hereby enacted as follows:—

CHAPTER I.**PRELIMINARY.**

tion 1.] **1. (1)** This Act may be called the Bengal Short title. Tenancy Act, 1885.

Commencemen (2) It shall come into force on such date (hereinafter called the commencement of this Act) as the Local Government, with the previous sanction of the Governor General in Council, may, by notification in the local official Gazette, appoint in this behalf.

B. B., s. 1. B. B., s. 1.] **(3)** It shall extend by its own operation to all the territories for the time being under the administration of the Lieutenant-Governor of Bengal, except the Town of Calcutta, the Division of Orissa, and the Scheduled Districts specified in the third part of the First Schedule of the Scheduled Districts Act, 1874; and the Local Government may, with the previous sanction of the Governor General in Council, by notification in the local official Gazette, extend the whole or any portion of this Act to the Division of Orissa or any part thereof.

[IV of 874.]

C. B., s. 2. B. B., s. 2. Section 2.]

2. (1) The enactments specified in Schedule I hereto annexed are repealed in the territories to which this Act extends by its own operation.

(2) When this Act is extended to the Division of Orissa or any part thereof, such of those enactments as are in force in that Division or part, or, where a portion only of this Act is so extended, so much of them as is inconsistent with that portion, shall be repealed in that Division or part.

(3) Any enactment or document referring to any enactment hereby repealed shall be construed to refer to this Act or to the corresponding portion thereof.

(4) The repeal of any enactment by this Act shall not revive any right, privilege, matter or thing not in force or existing at the commencement of this Act.

3. In this Act, unless there is something repugnant in the subject or context,—

Definitions.

(1) "Estate" means land included under one entry in any of the general registers of revenue-paying lands and revenue-free lands, prepared and maintained under the law for the time being in force by the Collector of a district, and includes Government khás maháls and revenue-free lands not entered in any register: [D. § 1. C. B., s. 3. B. B., s. 3. Section 3 (1)]

(2) "Proprietor" means a person owning, whether in trust or for his own benefit, an estate or a part of an estate. [D. § 1. C. B., s. 3. B. B., s. 3. Section 3 (2)]

(3) "Tenant" means a person who holds land under another person, and is, or but for a special contract would be, liable to pay rent for that land to that person. [Section 3 (3)]

(4) "Landlord" means a person immediately under whom a tenant holds, and includes the Government. [Section 3 (4)]

(5) "Rent" means whatever is lawfully payable or deliverable in money or kind by a tenant to his landlord on account of the use or occupation of the land held by the tenant: [D. § 1. C. B., s. 3. B. B., s. 3. Section 3 (5)]

In sections 53 to 68, both inclusive, sections 72 to 75, both inclusive, Chapter XII and Schedule III of this Act, "rent" includes also money recoverable under any enactment for the time being in force as if it was rent.

(6) "Pay," "payable" and "payment," used with reference to rent, include "deliver," "deliverable" and "delivery." [Section 3 (6)]

(7) "Tenure" means the interest of a tenure-holder or an under-tenure-holder.

(8) "Permanent tenure" means a tenure which is heritable and which is not held for a limited time.

(9) "Holding" means a parcel or parcels of land held by a raiyat and forming the subject of a separate tenancy. [Section 3 (9)]

(10) "Village" means an area included in a village map of the revenue-survey within the same exterior boundary, or, where no such maps have been prepared, such area as any officer appointed by the Local Government in this behalf may determine after local inquiry held on such notice as the Local Government considers sufficient for giving information to all persons interested. [B. B., s. 2. Expt. 11. Section 2]

(11) "Agricultural year" means, where the Bengali year prevails, the year commencing on the first day of Bysák, where the Fasli or Ainli year prevails, the year commencing on the first day of Asin, and, where any other year prevails for agricultural purposes, that year. [Sec. 3 (11)]

*Bengal Tenancy Bill.**(Chapter II.—Classes of Tenants.—Secs. 4-5.)**(Chapter III.—Tenure-holders.—Secs. 6-7.)*

(12) "Permanent Settlement" means the Permanent Settlement of Bengal, Bihār and Orissa, made in the year 1793.

(13) "Succession" includes both intestate and testamentary succession.

(14) "Signed" includes "marked" when the person making the mark is unable to write his name; it also includes "stamped" with the name of the person referred to.

(15) "Prescribed" means proscribed from time to time by the Local Government by notification in the official Gazette.

(16) "Collector" means the Collector of a district or any other officer appointed by the Local Government to discharge any of the functions of a Collector under this Act.

(17) "Revenue-officer" in any provision of this Act includes any officer whom the Local Government may appoint by name or by virtue of his office to discharge any of the functions of a Revenue-officer under that provision.

(18) "Registered" means registered under any Act for the time being in force for the registration of documents.

CHAPTER II.

CLASSES OF TENANTS.

4. There shall be, for the purposes of this Act, the following classes of tenants, namely:—

- (1) tenure-holders, including under-tenure-holders,
- (2) raiyats, and
- (3) under-raiyats, that is to say, tenants holding whether immediately or mediately under raiyats;

and the following classes of raiyats, namely:—

- (a) raiyats holding at fixed rates, which expression means raiyats holding either at a rent fixed in perpetuity or at a rate of rent fixed in perpetuity,
- (b) occupancy-raiyats, that is to say, raiyats having a right of occupancy in the land held by them, and
- (c) non-occupancy-raiyats, that is to say, raiyats not having such a right of occupancy.

5. (1) "Tenure-holder" means primarily a person who has acquired from a proprietor or from another tenure-holder a right to hold land for the purpose of collecting rents or bring-

ing it under cultivation by establishing tenants on it, and includes also the successors in interest of persons who have acquired such a right.

(2) "Raiyat" means primarily a person who has acquired a right to hold land for the purpose of cultivating it by himself, or by members of his family, or by hired servants, or with the aid of partners, and includes also the successors in interest of persons who have acquired such a right.

Explanation.—Where a tenant of land has the right to bring it under cultivation, he shall be deemed to have acquired a right to hold it for the purpose of cultivation notwithstanding that he uses it for the purpose of gathering the produce of it or of grazing cattle on it.

(3) A person shall not be deemed to be a raiyat unless he holds land either immediately under a proprietor or immediately under a tenure-holder.

(4) In determining whether a tenant is a tenure-holder or a raiyat the Court shall have regard to—

- (a) local custom; and
- (b) the purpose for which the right of tenancy was originally acquired.

(5) Where the area held by a tenant exceeds one hundred standard bighás, the tenant shall be presumed to be a tenure-holder until the contrary is shewn.

CHAPTER III.

TENURE-HOLDERS.

Enhancement of rent.

6. Where a tenure has been held from the time of the Permanent Settlement, its rent shall not be liable to enhancement except on proof—

- (a) that the landlord under whom it is held is entitled to enhance the rent thereof either by local custom or by the conditions under which the tenure is held, or
- (b) that the tenure-holder, by receiving reductions of his rent, otherwise than on account of a diminution of the area of the tenure, has subjected himself to the payment of the increase demanded, and that the lands are capable of affording it.

7. (1) Where the rent of a tenure-holder is liable to enhancement, it may, subject to any contract between the parties, be enhanced up to the limit of the customary rate payable by persons holding similar tenures in the vicinity.

(2) Where no such customary rate exists, it may, subject as aforesaid, be enhanced up to such limit as the Court thinks fair and equitable.

*Bengal Tenancy Bill.**(Chapter III.—Tenure-holders.—Secs. 8—15.)*

(3) In determining what is fair and equitable the Court shall not leave to the tenure-holder as profit less than ten per centum of the balance which remains after deducting from the gross rents payable to him the expenses of collecting them, and shall have regard to—

(a) the circumstances under which the tenure was created, for instance, whether the land comprised in the tenure, or a great portion of it, was first brought under cultivation by the agency or at the expense of the tenure-holder or his predecessors in interest, whether any fine or premium was paid on the creation of the tenure, and whether the tenure was originally created at a specially low rent for the purpose of reclamation; and

(b) the improvements, if any, made by the tenure-holder or his predecessors in interest.

(4) If the tenure-holder himself occupies any portion of the land included in the area of his tenure, or has made a grant of any portion of the land either rent-free or at a beneficial rent, a fair and equitable rent shall be calculated for that portion and included in the gross rents aforesaid.

8. The Court may, if it thinks that an immediate increase of rent would produce hardship, direct that the enhancement shall be gradual; that is to say, that the rent shall increase yearly by degrees, for any number of years not exceeding five, until the limit of the enhancement allowed has been reached.

Power to order gradual enhancement. Rent once enhanced may not be altered for fifteen years.

9. When the rent of a tenure-holder has been enhanced by the Court or by contract, it shall not be again enhanced by the Court during the fifteen years next following the date on which it has been so enhanced.

Other incidents of tenures.

10. A holder of a permanent tenure shall not be ejected by his landlord except on the ground that he has broken a condition consistent with the provisions of this Act and on breach of which he is, under the terms of a contract between him and his landlord, liable to be ejected.

11. Every permanent tenure shall, subject to the provisions of this Act, be capable of being transferred and bequeathed in the same manner and to the same extent as other immovable property.

12. (1) A transfer of a permanent tenure by sale, gift or mortgage (other than a transfer by sale in execution of a decree or by summary sale under any

law relating to patni or other tenures) can be made only by a registered instrument. *Other incidents of tenures.*

(2) A registering officer shall not register any instrument purporting or operating to transfer by sale, gift or mortgage a permanent tenure unless there is paid to him, in addition to any fees payable under the Act for the time being in force for the registration of documents, a process-fee of the prescribed amount and a fee (hereinafter called "the landlord's fee") of the following amount, namely:—

(a) when rent is payable in respect of the tenure, a fee of two per centum on the annual rent of the tenure: provided that no such fee shall be less than one rupee or more than one hundred rupees; and

(b) when rent is not payable in respect of the tenure, a fee of two rupees.

(3) When the registration of any such instrument is complete, the registering officer shall send to the Collector the landlord's fee and a notice of the transfer and registration in the prescribed form, and the Collector shall cause the fee to be paid to, and the notice to be served on, the landlord in the prescribed manner.

13. (1) When a permanent tenure is sold in execution of a decree other than a decree for arrears of rent due in respect thereof, the Court shall, before, confirming the sale under section 312 of the Code of Civil Procedure, require the purchaser to pay into Court the landlord's fee prescribed by the last foregoing section and such further fee for service of notice of the sale on the landlord as may be prescribed. *[C. B. ss., 47. 48 (c). B. H., ss. 89, 40 (c). Section 10.] XIV of 1882.*

(2) When the sale has been confirmed, the Court shall send to the Collector the landlord's fee and a notice of the sale in the prescribed form, and the Collector shall cause the fee to be paid to, and the notice to be served on, the landlord in the prescribed manner.

14. When a permanent tenure is transferred by sale in execution of a decree for arrears of rent due in respect thereof, the Court shall send to the Collector a notice of the sale in the prescribed form. *[Section 17.]*

15. When a succession to a permanent tenure takes place, the person succeeding shall give notice of the succession to the Collector in the prescribed form, and shall pay to the Collector the prescribed fee for the service of the notice on the landlord and the landlord's fee prescribed by section 12, and the Collector shall cause the landlord's fee to be paid to, and the notice to be served on, the landlord in the prescribed manner.

Succession to permanent tenure.

Voluntary transfer of permanent tenure.

Bengal Tenancy Bill.

(Chapter III.—Tenure-holders.—16-17.)

(Chapter IV.—Raiyats holding at fixed rates.—Sec. 18.)

(Chapter V.—Occupancy-raiyats.—Secs. 19-22.)

16. A person becoming entitled to a permanent tenure by succession shall not be entitled to recover by suit, distraint or other proceeding any rent payable to him as the holder of the tenure, until the Collector has received the notice and fees referred to in the last foregoing section.

17. Subject to the provisions of section 88, the foregoing sections shall apply to the transfer of, or succession to, a share in a permanent tenure.

CHAPTER IV.

RAIYATS HOLDING AT FIXED RATES.

18. A raiyat holding at a rent, or rate of rent, fixed in perpetuity—

(a) shall be subject to the same provisions with respect to the transfer of, and succession to, his holding as the holder of a permanent tenure, and

(b) shall not be ejected by his landlord except on the ground that he has broken a condition consistent with this Act, and on breach of which he is, under the terms of a contract between him and his landlord, liable to be ejected.

CHAPTER V.

OCCUPANCY-RAIYATS.

General.

19. Every raiyat who immediately before the commencement of this Act has, by the operation of any enactment, by custom or otherwise, a right of occupancy in any land shall, when this Act comes into force, have a right of occupancy in that land.

20. (1) Every person who for a period of twelve years, whether wholly or partially before or after the commencement of this Act, has continuously held as a raiyat land situate in any village, whether under a lease or otherwise, shall be deemed to have become, on the expiration of that period, a settled raiyat of that village.

(2) A person shall be deemed for the purposes of this section to have continuously held land in a village notwithstanding that the particular land held by him has been different at different times.

(3) A person shall be deemed, for the purposes of this section, to have held as a raiyat any land held as a raiyat by a person whose heir he is.

(4) Land held by two or more co-sharers as a raiyat shall be deemed, for the purposes of this section, to have been held as a raiyat by each such co-sharer.

(5) A person shall continue to be a settled raiyat of a village as long as he holds any land as a raiyat in that village and for one year thereafter.

(6) If a raiyat recovers possession of land under section 87, he shall be deemed to have continued to be a settled raiyat notwithstanding his having been out of possession more than a year.

(7) If, in any proceeding under this Act, it is proved or admitted that a person holds any land as a raiyat, it shall, as between him and the landlord under whom he holds the land, be presumed for the purposes of this section, until the contrary is proved or admitted, that he has for twelve years continuously held that land or some part of it as a raiyat.

21. (1) Every person who is a settled raiyat of a village within the meaning of the last foregoing section shall have a right of occupancy in all land for the time being held by him as a raiyat in that village.

(2) Every person who, being a settled raiyat of a village within the meaning of the last foregoing section, held land as a raiyat in that village at any time between the second day of March, 1883, and the commencement of this Act, shall be deemed to have acquired a right of occupancy in that land under the law then in force; but nothing in this sub-section shall affect any decree or order passed by a Court before the commencement of this Act.

22. (1) When the immediate landlord of an occupancy-holding is a proprietor or permanent tenure-holder, and the entire interests of the landlord and the raiyat in the holding become united in the same person by transfer, succession or otherwise, the occupancy-right shall cease to exist; but nothing in this sub-section shall prejudicially affect the rights of any third person.

(2) If the occupancy-right in land is transferred to a person jointly interested in the land as proprietor or permanent tenure-holder, it shall cease to exist; but nothing in this sub-section shall prejudicially affect the rights of any third person.

(3) A person holding land as an *ijaradár* or farmer of rents shall not, while so holding, acquire a right of occupancy in any land comprised in his *ijara* or farm.

Explanation.—A person having a right of occupancy in land does not lose it by subsequently becoming jointly interested in the land as proprietor or permanent tenure-holder, or by subsequently holding the land in *ijara* or farm.

*Bengal Tenancy Bill.**(Chapter V.—Occupancy-raiyats.—Secs. 23-31.)**Incidents of occupancy-right.*

of 23. When a raiyat has a right of occupancy in
 69. Rights of raiyat in respect of use of land. use the land in any manner which does not render it unfit for the purposes of the tenancy; but shall not be entitled to cut down trees in contravention of any local custom.

24. An occupancy-raiyat shall pay rent for his holding at fair and equitable rates.

25. An occupancy-raiyat shall not be ejected by his landlord from his holding, except in execution of a decree for ejectment passed on the ground—

20. (a) that he has used the land comprised in his holding in a manner which renders it unfit for the purposes of the tenancy, or

21. (b) that he has broken a condition consistent with the provisions of this Act, and on breach of which he is, under the terms of a contract between himself and his landlord, liable to be ejected.

26. If a raiyat dies intestate in respect of a right of occupancy, it shall, subject to any custom to the contrary, descend in the same manner as other immoveable property: Provided that, in any case in which under the law of inheritance to which the raiyat is subject his other property goes to the Crown, his right of occupancy shall be extinguished.

Enhancement of rent.

27. The rent for the time being payable by an occupancy-raiyat shall be presumed to be fair and equitable until the contrary is proved.

28. Where an occupancy-raiyat pays his rent in money, his rent shall not be enhanced except as provided by this Act.

29. (1) The money-rent of an occupancy-raiyat may be enhanced by registered contract, subject to the following conditions:—

(a) the rent must not be enhanced so as to exceed by more than two annas in the rupee the rent previously payable by the raiyat;

(b) the contract must fix the rent for a term of at least fifteen years.

(2) The registering officer shall, before registering a contract under this section, ascertain that the contract is not inconsistent with sections 74 and 178 of this Act, and that the raiyat is competent and willing to enter into it, and understands its nature.

(3) Nothing in sub-section (1), clause (a), shall apply to a contract by which a raiyat binds

himself to pay an enhanced rent in consideration of an improvement which has been or is to be effected in respect of the holding by, or at the expense of, his landlord, and to the benefit of which the raiyat is not otherwise entitled; but an enhanced rent fixed by such a contract shall be payable only when the improvement has been effected, and, except when the raiyat is chargeable with default in respect of the improvement, only so long as the improvement exists and substantially produces its estimated effect in respect of the holding.

(4) The Local Government may, from time to time, subject to the control of the Governor General in Council, make rules for the guidance of officers registering contracts under this section.

30. The landlord of a holding held at a money-rent by an occupancy-raiyat may, subject to the provisions of this Act, institute a suit to enhance the rent on one or more of the following grounds, namely:—

(a) that the rate of rent paid by the raiyat is below the prevailing rate paid by occupancy-raiyats for land of a similar description and with similar advantages in the same village, and that there is no sufficient reason for his holding at so low a rate;

(b) that there has been a rise in the average local prices of staple food-crops during the currency of the present rent;

(c) that the productive powers of the land held by the raiyat have been increased by an improvement effected by, or at the expense of, the landlord during the currency of the present rent;

(d) that the productive powers of the land held by the raiyat have been increased by fluvial action.

Explanation.—"Fluvial action" includes a change in the course of a river rendering irrigation from the river practicable when it was not previously practicable.

31. Where an enhancement is claimed on the ground that the rate of rent paid is below the prevailing rate—

(a) in determining what is the prevailing rate the Court shall have regard to the rates generally paid during a period of not less than three years before the institution of the suit, and shall not decree an enhancement unless there is a substantial difference between the rate paid by the raiyat and the prevailing rate found by the Court;

(b) if in the opinion of the Court the prevailing rate of rent cannot be satisfactorily ascertained without a local inquiry, the Court may direct that a local inquiry be held under Chapter XXV of the Code of Civil Procedure by such Revenue-officer as the Local Government may authorize in that behalf by rules made under section 392 of the said Code;

[D., § 43 (1) and (2).
C. B., s. 22 (1), (3) and (4).
B. B., s. 28 (1), (3) and (4).
Section 43.]

[Section 44.]

XIV of 1882.
[Act XII of 1881, s. 20.]

*Bengal Tenancy Bill.**(Chapter V.—Occupancy-raiyats.—Secs. 32-38.)*

- in suit* (c) in determining under this section the rate of rent payable by a raiyat his estate shall not be taken into consideration, unless it is proved that by local custom estate is taken into account in determining the rate; and whenever it is found that by local custom any description of raiyats hold land at favourable rates of rent, the rate shall be determined in accordance with that custom;
- (d) in ascertaining the prevailing rate of rent the amount of any enhancement authorized on account of a landlord's improvement shall not be taken into consideration.

in 45.] **32.** Where an enhancement is claimed on the ground of a rise in prices.—

- (a) the Court shall compare the average prices during the decennial period immediately preceding the institution of the suit with the average prices during such other decennial period as it may appear equitable and practicable to take for comparison;
- (b) the enhanced rent shall bear to the previous rent the same proportion as the average prices during the last decennial period bear to the average prices during the previous decennial period taken for purposes of comparison: provided that, in calculating this proportion, the average prices during the later period shall be reduced by one-third of their excess over the average prices during the earlier period;
- (c) if in the opinion of the Court it is not practicable to take the decennial periods prescribed in clause (a), the Court may, in its discretion, substitute any shorter periods therefor.

Section 46.] **33.** Where an enhancement is claimed on the ground of a landlord's improvement.—

- (a) the Court shall not grant an enhancement unless the improvement has been registered in accordance with this Act;
- (b) in determining the amount of enhancement the Court shall have regard to—
- the increase in the productive powers of the lands caused or likely to be caused by the improvement,
 - the cost of the improvement,
 - the cost of the cultivation required for utilizing the improvement, and
 - the existing rent and the ability of the land to bear a higher rent;
- (c) a decree under this section shall, on the application of the tenant or his successor in interest, be subject to re-consideration in the event of the improvement not producing or ceasing to produce the estimated effect.

Rules as to enhancement on ground of increase of productive powers due to fluvial action.

34. Where an enhancement is claimed on the ground of an increase in productive powers due to fluvial action—

- (a) the Court shall not take into account any increase which is merely temporary or casual;
- (b) the Court may enhance the rent to such an amount as it may deem fair and equitable, but not so as to give the landlord more than one-half of the value of the net increase in the produce of the land.

35. Notwithstanding anything in the foregoing sections the Court shall not in any case decree any enhancement which is under the circumstances of the case unfair or inequitable. *[Section 18.]*

36. If the Court passing a decree for enhancement considers that the immediate enforcement of the decree in its full extent will be attended with hardship to the raiyat, it may direct that the enhancement shall be gradual; that is to say, that the rent shall increase yearly by degrees for any number of years not exceeding five until the limit of the enhancement decreed has been reached. *[C. B., s. 23 (d). B. B., s. 24. (d). Section 40.]*

37. (1) A suit instituted for the enhancement of the rent of a holding on the ground that the rate of rent paid is below the prevailing rate, or on the ground of a rise in prices, shall not be entertained if within the fifteen years next preceding its institution the rent of the holding has been enhanced by a contract made after the second day of March, 1858, or if within the said period of fifteen years the rent has been commuted under section 40 or a decree has been passed under this Act or any enactment repealed by this Act enhancing the rent on either of the grounds aforesaid or on any ground corresponding thereto or dismissing the suit on the merits.

(2) Nothing in this section shall affect the provisions of section 373 of the Code of Civil Procedure. *[B. B., s. 143. Section 50.]*

Reduction of rent.

38. (1) An occupancy-raiyat holding a money-rent may institute a suit for the reduction of his rent on the following grounds, and, except as hereinafter provided in the case of a diminution of the area of the holding, not otherwise, namely:—

- (a) on the ground that the soil of the holding has without the fault of the raiyat

Reduction of rent. *[D., § 47. C. B., s. 25 & (8). B. B., s. 25 (2) & (3). Section 51.]*

*Bengal Tenancy Bill.**(Chapter V.—Occupancy-raiyats.—Secs. 39-40.)**(Chapter VI.—Non-occupancy-raiyats.—Secs. 41-43.)*

become permanently deteriorated by a deposit of sand or other specific cause, sudden or gradual, or

(b) on the ground that there has been a fall, not due to a temporary cause, in the average local prices of staple food-crops during the currency of the present rent.

(2) In any suit instituted under this section the Court may direct such reduction of the rent as it thinks fair and equitable.

Price-lists.

39. (1) The Collector of every district shall prepare, monthly, or at shorter intervals, periodical lists of the market-prices of staple food-crops grown in such local areas as the Local Government may from time to time direct, and shall submit them to the Board of Revenue for approval or revision.

(2) The Collector may, if so directed by the Local Government, prepare for any local area, like price-lists relating to such past times as the Local Government thinks fit, and shall submit the lists so prepared to the Board of Revenue for approval or revision.

(3) The Collector shall, one month before submitting a price-list to the Board of Revenue under this section, publish it in the prescribed manner within the local area to which it relates, and if any landlord or tenant of land within the local area within the said period of one month presents to him in writing any objection to the list, he shall submit the same to the Board of Revenue with the list.

(4) The price-lists shall, when approved or revised by the Board of Revenue, be published in the official Gazette; and any manifest error in any such list discovered after its publication may be corrected by the Collector with the sanction of the Board of Revenue.

(5) The Local Government shall cause to be compiled from the periodical lists prepared under this section lists of the average prices prevailing throughout each year, and shall cause them to be published annually in the official Gazette.

(6) In any proceedings under this chapter for an enhancement or reduction of rent on the ground of a rise or fall in prices, the Court shall refer to the lists published under this section, and shall presume that the prices shown thereby are correct, unless and until it is proved that they are incorrect.

(7) The Local Government, subject to the control of the Governor General in Council, shall make rules for determining what are to be deemed staple food-crops in any local area and for the guidance of officers preparing price-lists under this section.

Commutation.

40. (1) Where an occupancy-raiyat pays for a holding rent in kind, or on the estimated value of a portion of the crop, or at rates varying with the crop, or partly in one of those ways and partly in another, either the raiyat or his landlord may apply to have the rent commuted to a money-rent.

(2) The application may be made to the Collector or Sub-divisional Officer, or to an officer making a settlement of rents under Chapter X, or to any other officer specially authorized in this behalf by the Local Government.

(3) On the receipt of the application the officer may determine the sum to be paid as money-rent, and may order that the raiyat shall, in lieu of paying his rent in kind, or otherwise as aforesaid, pay the sum so determined.

(4) In making the determination the officer shall have regard to—

(a) the average money-rent payable by occupancy-raiyats for land of a similar description and with similar advantages in the vicinity;

(b) the average value of the rent actually received by the landlord during the preceding ten years or during any shorter period for which evidence may be available; and

(c) the charges incurred by the landlord in respect of irrigation under the system of rent in kind, and the arrangements made on commutation for continuing those charges.

(5) The order shall be in writing, shall state the grounds on which it is made, and the time from which it is to take effect, and shall be subject to appeal in like manner as if it were an order made in an ordinary revenue proceeding.

(6) If the application is opposed, the officer shall consider whether under all the circumstances of the case it is reasonable to grant it, and shall grant or refuse it accordingly. If he refuses it, he shall record in writing the reasons for the refusal.

CHAPTER VI.

NON-OCCUPANCY-RAIYATS.

41. This chapter shall apply to raiyats not having a right of occupancy, who are in this Act referred to as non-occupancy-raiyats. [Section 5 Application of chapter.]

42. When a non-occupancy-raiyat is admitted to the occupation of land, he shall become liable to pay such rent as may be agreed on between himself and his landlord at the time of his admission. [Section 7 Initial rent of non-occupancy-raiyat.]

43. The rent of a non-occupancy-raiyat shall not be enhanced except by registered agreement or by agreement under section 45. [Section 8 Conditions of enhancement of rent.]

*Bengal Tenancy Bill.**(Chapter VI.—Non-occupancy raiyats.—Secs. 44-47.)**(Chapter VII.—Under-raiyats.—Secs. 48-49.)*

44. A non-occupancy-raiyat shall, subject to the provisions of this Act, be liable to ejectment on one or more of the following grounds, and not otherwise, namely:—

- (a) on the ground that he has failed to pay an arrear of rent;
- (b) on the ground that he has used the land in a manner which renders it unfit for the purposes of the tenancy, or that he has broken a condition consistent with this Act, and on breach of which he is, under the terms of a contract between himself and his landlord, liable to be ejected;
- (c) where he has been admitted to occupation of the land under a registered lease, on the ground that the term of the lease has expired;
- (d) on the ground that he has refused to agree to pay a fair and equitable rent determined under section 46, or that the term for which he is entitled to hold at such a rent has expired.

45. A suit for ejectment on the ground of the expiration of the term of the lease shall not be instituted against a non-occupancy-raiyat unless notice to quit has been served on the raiyat not less than six months before the expiration of the term, and shall not be instituted after six months from the expiration of the term.

46. (1) A suit for ejectment on the ground of refusal to agree to an enhancement of rent shall not be instituted against a non-occupancy-raiyat unless the landlord has tendered to the raiyat an agreement to pay the enhanced rent, and the raiyat has within three months before the institution of the suit refused to execute the agreement.

(2) A landlord desiring to tender an agreement to a raiyat under this section may file it in the office of such Court or officer as the Local Government appoints in this behalf for service on the raiyat. The Court or officer shall forthwith cause it to be served on the raiyat in the prescribed manner, and when it has been so served it shall for the purposes of this section be deemed to have been tendered.

(3) If a raiyat on whom an agreement has been served under sub-section (2) executes it, and within one month from the date of service files it in the office from which it issued, it shall take effect from the commencement of the agricultural year next following.

(4) When an agreement has been executed and filed by a raiyat under sub-section (3), the Court or officer in whose office it is so filed shall forthwith cause a notice of its being so executed and filed to be served on the landlord in the prescribed manner.

(5) If the raiyat does not execute the agreement and file it under sub-section (3), he shall be deemed for the purposes of this section to have refused to execute it.

(6) If a raiyat refuses to execute an agreement tendered to him under this section, and the landlord thereupon institutes a suit to eject him, the Court shall determine what rent is fair and equitable for the holding.

(7) If the raiyat agrees to pay the rent so determined, he shall be entitled to remain in occupation of his holding at that rent for a term of five years from the date of the agreement, but on the expiration of that term shall be liable to ejectment under the conditions mentioned in the last foregoing section, unless he has acquired a right of occupancy.

(8) If the raiyat does not agree to pay the rent so determined, the Court shall pass a decree for ejectment.

(9) In determining what rent is fair and equitable the Court shall have regard to the rents generally paid by raiyats for land of a similar description and with like advantages in the same village.

(10) A decree for ejectment passed under this section shall take effect from the end of the agricultural year in which it is passed.

47. Where a raiyat has been in occupation of land and a lease is executed with a view to a continuance of his occupation, he is not to be deemed to be admitted to occupation by that lease for the purposes of this chapter, notwithstanding that the lease may purport to admit him to occupation.

CHAPTER VII.

UNDER-RAIYATS.

48. The landlord of an under-raiyat holding at a money-rent shall not be entitled to recover rent exceeding the rent which he himself pays by more than the following percentage of the same, namely:—

- (a) when the rent payable by the under-raiyat is payable under a registered lease or agreement—fifty per cent.; and
- (b) in any other case—twenty-five per cent.

49. An under-raiyat shall not be liable to be ejected by his landlord, except at the end of an agricultural year and after a written notice to quit has been served on him in the prescribed manner not less than six months before the expiration of that year.

*Bengal Tenancy Bill.**(Chapter VIII.—General Provisions as to Rent.—Secs. 50—54.)*

CHAPTER VIII.

GENERAL PROVISIONS AS TO RENT.

Rules and presumptions as to amount of rent.

50. (1) Where a tenure-holder or raiyat and his predecessors in interest have held at a rent or rate of rent which has not been changed from the time of the Permanent Settlement, the rent or rate of rent shall not be liable to be increased except on the ground of an alteration in the area of the holding.

(2) If it is proved in any suit or other proceeding under this Act that either a tenure-holder or raiyat and his predecessors in interest have held at a rent or rate of rent which has not been changed during the twenty years immediately before the institution of the suit or proceeding, it shall be presumed, until the contrary is shown, that they have held at that rent or rate of rent from the time of the Permanent Settlement:

Provided that if it is required by or under any enactment that in any local area tenancies, or any classes of tenancies, at fixed rents or rates of rent shall be registered as such on, or before a date specified by or under the enactment, the foregoing presumption shall not after that date apply to any tenancy or, as the case may be, to any tenancy of that class in that local area unless the tenancy has been so registered.

(3) The operation of this section, so far as it relates to land held by a raiyat, shall not be affected by the fact of the land having been separated from other land which formed with it a single holding, or amalgamated with other land into one holding.

(4) Nothing in this section shall apply to a tenure held for a term of years or determinable at the will of the landlord.

51. If a question arises as to the amount of a tenant's rent or the conditions under which he holds in any agricultural year, he shall be presumed, until the contrary is shown, to hold at the same rent and under the same conditions as in the last preceding agricultural year.

Alteration of rent on alteration of area.

52. (1) Every tenant shall—

(a) be liable to pay additional rent for all land proved by measurement to be in excess of the area for which rent has been previously paid by him, unless it is proved that the excess is due to the addition to the holding of land which having previously belonged to the holding was lost by alluvion or otherwise without any reduction of the rent being made, and

(b) be entitled to a reduction of rent in respect of any deficiency proved by measurement to exist in the area of his holding

as compared with the area for which rent has been previously paid by him, unless it is proved that the deficiency is due to the loss of land which was added to the area of the holding by alluvion or otherwise, and that an addition has not been made to the rent in respect of the addition to the area.

Alteration of rent on alteration of area.

(2) In determining the area for which rent has been previously paid, the Court shall, if so required by any party to the suit, have regard to—

(a) the origin and conditions of the tenancy, for instance, whether the rent was a consolidated rent for the entire holding;

(b) whether the tenant has been allowed to hold additional land in consideration of an addition to his total rent or otherwise with the knowledge and consent of the landlord;

(c) the length of time during which the tenancy has lasted without dispute as to rent or area; and

(d) the length of the measure used or in local use at the time of the origin of the tenancy as compared with that used or in local use at the time of the institution of the suit.

(3) In determining the amount to be added to the rent, the Court shall have regard to the rates payable by tenants of the same class for lands of a similar description and with similar advantages in the vicinity, and, in the case of a tenure-holder, to the profits to which he is entitled in respect of the rent of his tenure, and shall not in any case fix any rent which under the circumstances of the case is unfair or inequitable.

(4) The amount abated from the rent shall bear the same proportion to the rent previously payable as the diminution of the total yearly value of the holding bears to the previous total yearly value thereof, or, in default of satisfactory proof of the yearly value of the land lost, shall bear to the rent previously payable the same proportion as the diminution of area bears to the previous area of the holding.

Payment of rent.

53. Subject to agreement or established usage, a money-rent payable by a tenure-holder or raiyat shall be paid in four equal instalments falling due on the last day of each quarter of the agricultural year.

54. (1) Every tenant shall pay each instalment of rent before sunset of the day on which it falls due.

(2) The payment shall, except in cases where a tenant is allowed under this Act to deposit his rent, be made at the landlord's village office, or at such other convenient place as may be appointed in that behalf by the landlord:

Provided that the Local Government may from time to time make rules, either generally or for

*Bengal Tenancy Bill.**(Chapter VIII.—General Provisions as to Rent.—Secs. 67—71.)*

paid into Court within fifteen days from the date of the decree, or, when the Court is closed on the fifteenth day, on the day upon which the Court re-opens.

(3) The Court may for special reasons extend the period of fifteen days mentioned in this section.

101.
s. 56.
s. 48.
n 79.] **67.** An arrear of rent shall bear simple interest at the rate of twelve per centum per annum from the expiration of that quarter of the agricultural year in which the instalment falls due to the institution of the suit.

68.
s. 90.
s. 96.
n 80.] **69.** (1) If, in any suit brought for the recovery of arrears of rent, it appears to the Court that the defendant has, without reasonable or probable cause, neglected or refused to pay the amount of rent due by him, the Court may award to the plaintiff, in addition to the amount decreed for rent and costs, such damages, not exceeding twenty-five per centum on the amount of rent decreed, as it thinks fit:

Provided that interest shall not be decreed when damages are awarded under this section.

69.
s. 91.
s. 97.] (2) If, in any suit brought for the recovery of arrears of rent, it appears to the Court that the plaintiff has instituted the suit without reasonable or probable cause, the Court may award to the defendant, by way of damages, such sum, not exceeding twenty-five per centum on the whole amount claimed by the plaintiff, as it thinks fit.

Produce-rents.

ce-
s. 84.
s. 88.
n 81.] **69.** (1) Where rent is taken by appraisement or division of the produce,—

(a) if either the landlord or the tenant neglects to attend, either personally or by agent, at the proper time for making the appraisement or division, or

(b) if there is a dispute about the quantity, value or division of the produce,

the Collector may, on the application of either party, and on his depositing such sum on account of expenses as the Collector may require, make an order appointing such officer as he thinks fit to appraise or divide the produce.

(2) The Collector may, without such an application, make the like order in any case where in the opinion of the District or Sub-divisional Magistrate the making of the order would be likely to prevent a breach of the peace.

(3) Where a Collector makes an order under this section, he may by order prohibit the removal of the produce until the appraisement or division has been effected.

70. (1) When a Collector appoints an officer under the last foregoing section, the Collector may, in his discretion, direct the officer to associate with himself any other persons as assessors, and may give him instructions regarding the number, qualifications and mode of selection of those assessors (if any), and the procedure to be followed in making the appraisement or division; and the officer shall conform to the instructions so given.

(2) The officer shall, before making an appraisement or division, give notice to the landlord and tenant of the time and place at which the appraisement or division will be made, but if either the landlord or the tenant fails to attend either personally or by agent, he may proceed *ex parte*.

(3) When the officer has made the appraisement or division, he shall submit a report of his proceedings to the Collector.

(4) The Collector shall consider the report, and, after giving the parties an opportunity of being heard and making such enquiry (if any) as he may think necessary, shall pass such order thereon as he thinks just.

(5) The Collector may, if he thinks fit, refer any question in dispute between the parties for the decision of a Civil Court, but, subject as aforesaid, his order shall be final and shall, on application to a Civil Court by the landlord or the tenant, be enforceable as a decree.

(6) Where the officer makes an appraisement, the appraisement papers shall be filed in the Collector's office.

71. (1) Where rent is taken by appraisement of the produce, the tenant shall be entitled to the exclusive possession of the produce.

(2) Where rent is taken by division of the produce, the tenant shall be entitled to the exclusive possession of the whole produce until it is divided, but shall not be entitled to remove any portion of the produce from the threshing-floor at such a time or in such a manner as to prevent the due division thereof at the proper time.

(3) In either case the tenant shall be entitled to cut and harvest the produce in due course of husbandry without any interference on the part of the landlord.

(4) If the tenant removes any portion of the produce at such a time or in such a manner as to prevent the due appraisement or division thereof at the proper time, the produce shall be deemed to have been as full as the fullest crop of the same description appraised in the neighbourhood on similar land for that harvest.

*Bengal Tenancy Bill.**(Chapter VIII.—General Provisions as to Rent.—Secs. 72—75.)**(Chapter IX.—Miscellaneous Provisions as to Landlords and Tenants.—Secs. 76—79.)**Liability for rent on change of landlord or after transfer of holding.*

72. (1) A tenant shall not, when his landlord's interest is transferred, be liable to the transferee for rent which became due after the transfer and was paid to the landlord whose interest was so transferred, unless the transferee has before the payment given notice of the transfer to the tenant.

Tenant not liable to transferee of landlord's interest for rent paid to former landlord, without notice of the transfer.

(2) Where there is more than one tenant paying rent to the landlord whose interest is transferred, a general notice from the transferee to the tenants published in the prescribed manner shall be a sufficient notice for the purposes of this section.

73. When an occupancy-ryyat transfers his holding without the consent of the landlord, the transferor and transferee shall be jointly and severally liable to the landlord for arrears of rent accruing due after the transfer, unless and until notice of the transfer is given to the landlord in the prescribed manner.

Liability for rent after transfer of holding.

Illegal Cesses, &c.

74. All impositions upon tenants under the denomination of *abwáb*, *mah-tul*, or other like appellations, in addition to the actual rent, shall be illegal, and all stipulations and reservations for the payment of such shall be void.

Abwáb, &c., illegal.

75. Every tenant from whom, except under any special enactment for the time being in force, any sum of money or any portion of the produce of his land is exacted by his landlord in excess of the rent lawfully payable, may, within six months from the date of the exaction, institute a suit to recover from the landlord, in addition to the amount or value of what is so exacted, such sum by way of penalty as the Court thinks fit, not exceeding two hundred rupees; or, when double the amount or value of what is so exacted exceeds two hundred rupees, not exceeding double that amount or value.

Penalty for exaction by landlord from tenant of sum in excess of the rent payable.

CHAPTER IX.

MISCELLANEOUS PROVISIONS AS TO LANDLORDS AND TENANTS.

Improvements.

76. (1) For the purposes of this Act the term "improvement," used with reference to a raiyat's holding, shall mean any work which adds to the value of the holding, which is suitable to the holding and consistent with the purpose for which it was let, and which, if not executed on the holding, is either executed

Definition of "improvement."

directly for its benefit, or is, after execution, made directly beneficial to it.

(2) Until the contrary is shown, the following shall be presumed to be improvements within the meaning of this section:—

- (a) the construction of wells, tanks, water-channels and other works for the storage, supply or distribution of water for the purposes of agriculture, or for the use of men and cattle employed in agriculture;
- (b) the preparation of land for irrigation;
- (c) the drainage, reclamation from rivers or other waters, or protection from floods, or from erosion or other damage by water, of land used for agricultural purposes, or waste-land which is culturable;
- (d) the reclamation, clearance, enclosure or permanent improvement of land for agricultural purposes;
- (e) the renewal or re-construction of any of the foregoing works, or alterations therein, or additions thereto; and
- (f) the erection of a suitable dwelling-house for the raiyat and his family, together with all necessary out-offices.

(3) But no work executed by the raiyat of a holding shall be deemed to be an improvement for the purposes of this Act if it substantially diminishes the value of his landlord's property.

77. Where a raiyat holds at fixed rates, his landlord shall not be entitled, as such, to prevent him from making any improvement in respect of his holding.

Right to make improvements in case of holding at fixed rates.

78. (1) Where a raiyat has an occupancy-right in his holding, neither the raiyat nor his landlord shall, as such, be entitled to prevent the other from making an improvement in respect of the holding, except on the ground that he is willing to make it himself.

Right to make improvement in case of occupancy-holding.

(2) If both the raiyat and his landlord wish to make the same improvement, the raiyat shall have the prior right to make it, unless it affects another holding or other holdings under the same landlord.

(3) If a question arises between the raiyat and his landlord—

- (a) as to the right to make an improvement, or
- (b) as to whether a particular work is an improvement,

the Collector may, on the application of either party, decide the question, and his decision shall be final.

79. (1) A non-occupancy-raiyat shall be entitled to construct, maintain and repair a well for the irrigation of his holding, with all

Right to make improvement in case of non-occupancy-holding.

*Bengal Tenancy Bill.**(Chapter IX.—Miscellaneous Provisions as to Landlords and Tenants.—Secs. 80—84.)*

works incidental thereto, and to erect a suitable dwelling-house for himself and his family, with all necessary out-offices; but shall not, except as aforesaid and as next hereinafter provided, be entitled to make any other improvement in respect of his holding without his landlord's permission.

(2) A non-occupancy-raiyat who would, but for the want of his landlord's permission, be entitled to make an improvement in respect of his holding, may, if he desires that the improvement be made, deliver, or cause to be delivered, to his landlord a request in writing calling upon him to make the improvement within a reasonable time; and, if the landlord is unable or neglects to comply with that request, may make the improvement himself.

80. (1) A landlord may, by application to such Registration of land- Revenue officer as the Local lord's improvements. Government may appoint, register any improvement which he has lawfully made or which has been lawfully made at his expense or which he has assisted a tenant in making.

(2) The application shall be in such form, shall contain such information, and shall be verified in such manner, by local inquiry or otherwise, as the Local Government from time to time by rule directs.

(3) The officer receiving the application may reject it if it has not been made within twelve months—

(a) in the case of improvements made before the commencement of this Act—from the commencement of this Act;

(b) in the case of improvements made after the commencement of this Act—from the date of the completion of the work.

81. (1) If any landlord or tenant of a holding desires that evidence relating to any improvement made in respect thereof be recorded, he may apply to a Revenue-officer, who shall thereupon, at a time and place of which notice shall be given to the parties, record the evidence, unless he considers that there are no reasonable grounds for making the application, or it is made to appear that the subject-matter thereof is under inquiry in a Civil Court.

(2) When any matter has been recorded under this section, the record thereof shall be admissible in evidence in any subsequent proceedings between the landlord and tenant or any persons claiming under them.

82. (1) Every raiyat who is ejected from his holding shall be entitled to compensation for improvements which have been made in respect thereof in accordance with this Act by him, or by his predecessor in interest, and for which compensation has not already been paid.

(2) Whenever a Court makes a decree or order for the ejectment of a raiyat, it shall determine the amount of compensation (if any) due under this section to the raiyat for improvements, and shall make the decree or order of ejectment conditional on the payment of that amount to the raiyat.

(3) No compensation under this section for an improvement shall be claimable where the raiyat has made the improvement in pursuance of a contract or under a lease binding him, in consideration of some substantial advantage to be obtained by him, to make the improvement without compensation, and he has obtained that advantage.

(4) Improvements made by a raiyat between the 2nd day of March, 1883, and the commencement of this Act shall be deemed to have been made in accordance with this Act.

(5) The Local Government may, from time to time, by notification in the official Gazette, make rules requiring the Court to associate with itself, for the purpose of estimating the compensation to be awarded under this section for an improvement, such number of assessors as the Local Government thinks fit, and determining the qualifications of those assessors and the mode of selecting them.

83. (1) In estimating the compensation to be awarded under the last foregoing section for an improvement, regard shall be had—

(a) to the amount by which the value, or the produce, of the holding, or the value of that produce, is increased by the improvement;

(b) to the condition of the improvement, and the probable duration of its effects;

(c) to the labour and capital required for the making of such an improvement;

(d) to any reduction or remission of rent or any other advantage given by the landlord to the raiyat in consideration of the improvement; and

(e) in the case of a reclamation or of the conversion of unirrigated into irrigated land, to the length of time during which the raiyat has had the benefit of the improvement at an unenhanced rent.

(2) When the amount of the compensation has been assessed, the Court may, if the landlord and raiyat agree, direct that, instead of being paid wholly in money, it shall be made wholly or partly in some other way.

Acquisition of land for building and other purposes.

84. A Civil Court may, on the application of the landlord of a holding, and on being satisfied that he is desirous of acquiring the holding or part thereof for some reasonable and sufficient purpose having relation to the good of the holding or of the estate in which it is comprised, including the use of the ground as building ground, or for any religious, educational or charitable purpose, and on being satisfied on the certificate of the Collector that the purpose is reasonable and sufficient,

the holding or part thereof for some reasonable and sufficient purpose having relation to the good of the holding or of the estate in which it is comprised, including the use of the ground as building ground, or for any religious, educational or charitable purpose, and on being satisfied on the certificate of the Collector that the purpose is reasonable and sufficient,

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of cient, authorise the acquisition thereof by the landlord upon such conditions as the Court may think fit, and require the tenant to sell his interest in the whole or such part of the holding to the landlord upon such terms as may be approved by the Court, including full compensation to the tenant.

Sub-letting.

85. (1) If a raiyat sub-lets otherwise than by a registered instrument, the sub-lease shall not be valid against his landlord unless made with the landlord's consent.

(2) A sub-lease by a raiyat shall not be admitted to registration if it purports to create a term exceeding nine years.

(3) Where a raiyat has without the consent of his landlord granted a sub-lease by an instrument registered before the commencement of this Act, the sub-lease shall not be valid for more than nine years from the commencement of this Act.

Surrender and abandonment.

86. (1) A raiyat not bound by a lease or other agreement for a fixed period may, at the end of any agricultural year, surrender his holding.

(2) But, notwithstanding the surrender, the raiyat shall be liable to indemnify the landlord against any loss of the rent of the holding for the agricultural year next following the date of the surrender, unless he gives to his landlord, at least three months before he surrenders, notice of his intention to surrender.

(3) When a raiyat has surrendered his holding the Court shall in the following cases for the purposes of sub-section (2) presume, until the contrary is shown, that such notice was so given, namely:—

(a) if the raiyat takes a new holding in the same village from the same landlord during the agricultural year next following the surrender;

(b) if the raiyat ceases, at least three months before the end of the agricultural year at the end of which the surrender is made, to reside in the village in which the surrendered holding is situate.

(4) The raiyat may, if he thinks fit, cause the notice to be served through the Civil Court within the jurisdiction of which the holding or any portion of it is situate.

(5) When a raiyat has surrendered his holding the landlord may enter on the holding and either let it to another tenant or take it into cultivation himself.

(6) When a holding is subject to an incumbrance secured by a registered instrument, the surrender of the holding shall not be valid unless it is made with the consent of the landlord and the incumbrancer.

(7) Save as provided in the foregoing sub-section, nothing in this section shall affect any arrangement by which a raiyat and his landlord may arrange for a surrender of the whole or a part of the holding.

87. (1) If a raiyat voluntarily abandons his residence without notice to his landlord and without arranging for payment of his rent as it falls due, and ceases to cultivate his holding either by himself or by some other person, the landlord may, at any time after the expiration of the agricultural year in which the raiyat so abandons and ceases to cultivate, enter on the holding and let it to another tenant or take it into cultivation himself.

(2) Before a landlord enters under this section he shall file a notice in the prescribed form in the Collector's office stating that he has treated the holding as abandoned and is about to enter on it accordingly; and the Collector shall cause the notice to be published in such manner as the Local Government by rule directs.

(3) When a landlord enters under this section, the raiyat shall be entitled to institute a suit for recovery of possession of the land at any time not later than the expiration of two years, or, in the case of a non-occupancy-raiyat, six months, from the date of the publication of the notice; and thereupon the Court may, on being satisfied that the raiyat did not voluntarily abandon his holding, order recovery of possession on such terms, if any, with respect to compensation to persons injured and payment of arrears of rent as to the Court may seem just.

(4) Where the whole or part of a holding has been sub-let by a registered instrument, the landlord shall, before entering under this section on the holding, offer the whole holding to the sub-lessee for the remainder of the term of the sub-lease at the rent paid by the raiyat who has ceased to cultivate the holding, and on condition of the sub-lessee paying up all arrears due from that raiyat. If the sub-lessee refuses or neglects within a reasonable time to accept the offer, the landlord may avoid the sub-lease and may enter on the holding and let it to another tenant or cultivate it himself as provided in sub-sections (1) and (2).

Sub-division of tenancy.

88. A division of a tenure or holding or distribution of the rent payable in respect thereof shall not be binding on the landlord unless it is made with his consent in writing.

Sub-division of tenancy.
[H. B., ss. 2 (b), 37.
Bengal Act VIII of 1880, s. 26.
Section 97.]

*Bengal Tenancy Bill.**(Chapter IX.—Miscellaneous Provisions as to Landlords and Tenants.—Secs. 89—96.)**Ejection.*

89. No tenant shall be ejected from his hold-
No ejection except in execution of a decree. ing except in execution of a decree.

Measurements.

90. (1) Subject to the provisions of this section and any contract, a landlord may, by himself, or by any person authorized by him on this behalf, enter on and measure all land comprised in his estate or tenure, other than land exempt from the payment of revenue.

(2) A landlord shall not, without the consent of the tenant, or the written permission of the Collector, be entitled to measure land more than once in ten years, except in the following cases :—

- (a) where the area of the holding is liable, by reason of alluvion or diluvion, to vary from year to year, and the rent payable depends on the area ;
- (b) where the area under cultivation is liable to vary from year to year and the rent payable depends on the area under cultivation ;
- (c) where the landlord is a purchaser otherwise than by voluntary transfer and not more than two years have elapsed since the date of his entry under the purchase.

(3) The ten years shall be computed from the date of the last measurement, whether made before or after the commencement of this Act.

91. (1) Where a landlord desires to measure any land which he is entitled to measure under the last foregoing section, the Civil Court may, on the application of the landlord, make an order requiring the tenant to attend and point out the boundaries of the land.

(2) If the tenant refuses or neglects to comply with the order, a map or other record of the boundaries and measurements of the land, prepared under the direction of the landlord at the time when the tenant was directed to attend, shall be presumed to be correct until the contrary is shown.

92. (1) Every measurement of land made by order of a Civil Court, or of a Revenue-officer, in any suit or proceeding between a landlord and tenant, shall be made by the acre, unless the Court or Revenue-officer directs that it be made by any other specified standard.

(2) If the rights of the parties are regulated by any local measure other than the acre, the

acre shall be converted into the local measure *Measure* for the purposes of the suit or proceeding.

(3) The Local Government may, after local enquiry, make rules declaring for any local area the standard or standards of measurement locally in use in that area, and every declaration so made shall be presumed to be correct until the contrary is shown.

Managers.

93. When any dispute exists between co-owners of an estate or tenure as to the management thereof, and in consequence thereof, or is likely to ensue, the District Judge may, on the application in case (a) of the Collector, and in case (b) of any one having an interest in the estate or tenure, direct a notice to be served on all the co-owners, calling on them to show cause why they should not appoint a common manager :

- (a) inconvenience to the public, or
- (b) injury to private rights,

the District Judge may, on the application in case (a) of the Collector, and in case (b) of any one having an interest in the estate or tenure, direct a notice to be served on all the co-owners, calling on them to show cause why they should not appoint a common manager :

Provided that a co-owner of an estate or tenure shall not be entitled to apply under this section unless he is actually in possession of the interest he claims, and, if he is a co-owner of an estate, unless his name and the extent of his interest are registered under the Land Registration Act, 1876.

94. If the co-owners fail to show cause as aforesaid within one month after the service of a notice under the last foregoing section, the District Judge may make an order directing them to appoint a common manager, and a copy of the order shall be served on any co-owner who did not appear before it was made.

95. If the co-owners do not, within such period, not being less than one month after the making of an order under the last foregoing section, as the District Judge may fix in this behalf, or, where the order has been served as directed by that section, within a like period after such service, appoint a common manager and report the appointment for the information of the District Judge, the District Judge may, unless it is shown to his satisfaction that there is a prospect of a satisfactory arrangement being made within a reasonable time,—

- (a) direct that the estate or tenure be managed by the Court of Wards in any case in which the Court of Wards consents to undertake the management thereof ; or
- (b) in any case appoint a manager.

96. The Local Government may nominate a person for any local area to manage all estates and tenures within that local area for which it may be

*Bengal Tenancy Bill.**(Chapter IX.—Miscellaneous Provisions as to Landlords and Tenants.—Secs. 97—100.)**(Chapter X.—Record-of-rights and Settlement of Rents.—Secs. 101-102.)*

necessary to appoint a manager under clause (b) of the last foregoing section; and, when any person has been so nominated, no other person shall be appointed manager under that clause by the District Judge, unless in the case of any estate the Judge thinks fit to appoint one of the co-owners themselves as manager.

97. In any case in which the Court of Wards undertakes under section 95 the management of an estate or tenure, so much of the provisions of the Court of Wards Act, 1879, as relates to the management of immoveable property shall apply to the management.

98. (1) A manager appointed under section 95 may, if the District Judge thinks fit, be remunerated by a fixed salary or percentage of the money collected by him as manager, or partly in one way and partly in the other, as the District Judge from time to time directs.

(2) He shall give such security for the proper discharge of his duties as the District Judge directs.

(3) He shall, subject to the control of the District Judge, have, for the purposes of management, the same powers as the co-owners jointly might but for his appointment have exercised, and the co-owners shall not exercise any such power.

(4) He shall deal with and distribute the profits in accordance with the orders of the District Judge.

(5) He shall keep regular accounts, and allow the co-owners or any of them to inspect and take copies of those accounts.

(6) He shall pass his accounts at such period and in such form as the District Judge may direct.

(7) He may make any application which the proprietors could make under section 103.

(8) He shall be removeable by the order of the District Judge, and not otherwise.

99. When an estate or tenure has been placed under the management of the Court of Wards, or a manager has been appointed for the same under section 95, the District Judge may at any time direct that the management of it be restored to the co-owners, if he is satisfied that the management will be conducted by them without inconvenience to the public or injury to private rights.

100. The High Court may from time to time make rules defining the powers and duties of managers under the foregoing sections.

CHAPTER X.

RECORD-OF-RIGHTS AND SETTLEMENT OF RENTS.

101. (1) The Local Government may, in any case with the previous sanction of the Governor General in Council, and may, if it thinks fit, without such sanction in any of the cases next hereinafter mentioned, make an order directing that a survey be made, and a record-of-rights be prepared, in respect of the lands in a local area by a Revenue-officer.

(2) The cases in which an order may be made under this section without the previous sanction of the Governor General in Council are the following, namely:—

(a) where the landlord or a large proportion of the landlords or of the tenants applies for such an order and deposits, or gives security for, such amount, for the payment of expenses, as the Local Government directs;

(b) where the preparation of such a record is calculated to settle or avert a serious dispute existing or likely to arise between the tenants and their landlords generally;

(c) where the local area is comprised in an estate or tenure which belongs to or is managed by the Government or the Court of Wards; and

(d) where a settlement of revenue is being made in respect of the local area.

(3) A notification in the official Gazette of an order under this section shall be conclusive evidence that the order has been duly made.

102. Where an order is made under the last foregoing section, the particulars to be recorded shall be specified in the order, and may include, either without or in addition to other particulars, some or all of the following, namely:—

(a) the name of each tenant;

(b) the class to which he belongs, that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, occupancy-raiyat, non-occupancy-raiyat or under-raiyat, and, if he is a tenure-holder, whether he is a permanent tenure-holder or not, and whether his rent is liable to enhancement during the continuance of his tenure;

(c) the situation, quantity and boundaries of the land held by him;

(d) the name of his landlord;

(e) the rent payable;

(f) the mode in which that rent has been fixed, whether by contract, by order of a Court, or otherwise;

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(g) if the rent is a gradually increasing rent, the time at which, and the steps by which, it increases;

(h) the special conditions and incidents, if any, of the tenancy.

112.] **103.** On the application of a proprietor or tenure-holder, and on his depositing or giving security for the required amount for expenses, a Revenue-officer may, subject to and in accordance with rules made in this behalf by the Local Government, ascertain and record the particulars specified in the last foregoing section with respect to the estate or tenure or any part thereof.

118 **104.** (1) When, in any proceeding under this chapter, it does not appear that the tenant is holding land in excess of or less than that for which he is paying rent, and neither the landlord nor the tenant applies for a settlement of rent, the officer shall record the rent payable by the tenant, and the land in respect of which the rent is payable.

(2) When it appears that a tenant is holding land in excess of, or less than, that for which he is paying rent, or either the landlord or the tenant applies for a settlement of rent, or in any case under section 101, sub-section (2), clause (d), the officer shall settle a fair and equitable rent in respect of the land held by the tenant.

118 **(3)** In settling rents under this section, the officer shall presume, until the contrary is proved, that the existing rent is fair and equitable, and shall have regard to the rules laid down in this Act for the guidance of the Civil Court in increasing or reducing rents.

* 113 2.)] **105.** (1) When the Revenue-officer has completed a record made under this chapter, he shall cause a draft thereof to be locally published in the prescribed manner and for the prescribed period, and shall receive and consider any objection which may be made to any entry therein during the period of publication.

(2) After the expiration of this period the Revenue-officer shall finally frame the record, and shall cause it to be locally published in the prescribed manner, and the publication shall be conclusive evidence that the record has been duly made under this chapter.

* 114 2.)] **106.** If at any time before the final publication of the record under the last foregoing section a dispute arises as to the correctness of any entry (not being an entry of a rent settled under this chapter), or as to the propriety of any omission, which the Revenue-officer proposes to make or has made therein or therefrom, the Revenue-officer shall hear and decide the dispute.

107. In all proceedings for the settlement of rents under this chapter, and in all proceedings under the last foregoing section, the Revenue-officer shall, subject to rules made by the Local Government under this Act, adopt the procedure laid down in the Code of Civil Procedure XIV of 1882 for the trial of suits, and his decision in every such proceeding shall have the force of a decree.

108. (1) The Local Government shall appoint one or more persons to be a Special Judge or Special Judges for the purpose of hearing appeals from the decisions of Revenue-officers under the last foregoing section.

(2) An appeal shall lie to the Special Judge from the decision of a Revenue-officer under the last foregoing section, and the provisions of the Code of Civil Procedure relating to appeals shall, as nearly as may be, apply to all such appeals.

(3) Subject to the provisions of Chapter XI, an appeal shall lie to the High Court from the decision of a Special Judge in any case under section 106 as if he were a Court subordinate to the High Court within the meaning of the first section of that chapter:

Provided that, if in a second appeal the High Court alters the decision of the Special Judge in respect of any of the particulars with reference to which the rent of any holding has been settled, the Court may settle a new rent for the holding, but in so doing shall be guided by the rents of the other holdings of the same class comprised in the same record as ascertained or settled under section 104.

109. (1) Every record made under this chapter shall distinguish between the undisputed and the undisputed entries therein.

(2) Every undisputed entry in the record shall be presumed to be correct until the contrary is proved.

110. When any rent is settled under this chapter, the settlement shall take effect from the beginning of the agricultural year next after the final publication of the record.

111. When an order has been made under section (4),—

(a) a Civil Court shall not, until the final publication of the record, entertain a suit or application for the alteration of the rent or the determination of the status of any tenant in the area to which the order applies; and

(b) the High Court may, if it thinks fit, transfer to the Revenue-officer any proceedings pending in a local Court for the alteration of any such rent or for the determination of any of the matters specified or referred to in section 102.

*Bengal Tenancy Bill.**(Chapter X.—Record-of-rights and Settlement of Rents.—Secs. 112-115.)**(Chapter XI.—Record of Proprietors' Private Lands.—Secs. 116-120.)**(Chapter XII.—Distraint.—Sec. 121.)*

112. (1) The Local Government, with the previous sanction of the Governor General in Council, may, on being satisfied that the exercise of the powers hereinafter mentioned is necessary in the interests of public order or of the local welfare, invest a Revenue-officer acting under this chapter with the following powers or either of them, namely:—

- (a) power to settle all rents;
- (b) power, when settling rents, to reduce rents if in the opinion of the officer the maintenance of existing rents would on any ground, whether specified in this Act or not, be unfair or inequitable.

(2) The powers given under this section may be made exercisable within a specified area either generally or with reference to specified cases or classes of cases.

113. When the rent of a tenure or holding is settled under this chapter, it shall not, except on the ground of a landlord's improvement or of a subsequent alteration in the area of the tenure or holding, be enhanced, in the case of a tenure or an occupancy-holding for fifteen years, and in the case of a non-occupancy-holding, if the rent is settled in any case under section 112 or on the application of the landlord under section 104, for five years. The periods of fifteen and five years shall be counted from the date of the final publication of the record.

114. Where an order is made under this chapter in any case except under section 101, sub-section (2), clause (d), the expenses incurred by the Government in carrying out the provisions of this chapter in any local area, or such part of those expenses as the Local Government may direct, shall be defrayed by the landlords and tenants of land in that local area, in such proportions as the Local Government, having regard to all the circumstances of each case, may determine; and the proportion of those expenses so to be defrayed by any person shall be recoverable by the Government from him as if it were an arrear of revenue due by him.

115. When the particulars mentioned in section 102, clause (b), have been recorded under this chapter in respect of any tenancy, the presumption under section 50 shall not thereafter apply to that tenancy.

CHAPTER XI.

RECORD OF PROPRIETORS' PRIVATE LANDS.

116. Nothing in Chapter V shall confer a right of occupancy in, and nothing in Chapter VI shall apply to, a proprietor's private lands known in Bengal as

khāmār, nij or nij-jot, and in Behar as zirāt, nij, sir or kamat, where any such land is held under a lease for a term of years or under a lease from year to year. [B. B., s. 19. Expl. III (a). Expl. IV (f). Section 30.]

117. The Local Government may, from time to time, make an order directing a Revenue-officer to make a survey and record of all the lands in a specified local area which are a proprietor's private lands within the meaning of the last foregoing section. [B. B., ss. 76 to 82. Section 136.]

118. In the case of any land alleged to be a proprietor's private land, on the application of the proprietor or of any tenant of the land, and on his depositing the required amount for expenses, a Revenue-officer may, subject to and in accordance with rules made in this behalf by the Local Government, ascertain and record whether the land is or is not a proprietor's private land. [Section 136.]

119. When a Revenue-officer proceeds under either of the two last foregoing sections, the provisions of sections 105, 106, 108 and 109 shall apply. [Section 137.]

120. (1) The Revenue-officer shall record as a proprietor's private land— [C. B., s. 81. B. B., ss. 3 & 76. Section 138.]

(a) land which is proved to have been cultivated as khāmār, zirāt, sir, nij, nij-jot or kamat by the proprietor himself with his own stock or by his own servants or by hired labour for twelve continuous years immediately before the passing of this Act, and

(b) cultivated land which is recognized by village usage as proprietor's khāmār, zirāt, sir, nij, nij-jot or kamat.

(2) In determining whether any other land ought to be recorded as a proprietor's private land, the officer shall have regard to local custom and to the question whether the land was before the second day of March, 1883, specifically let as proprietor's private land and to any other evidence that may be produced; but shall presume that land is not a proprietor's private land until the contrary is shown.

(3) If any question arises in a Civil Court as to whether land is or is not a proprietor's private land, the Court shall have regard to the rules laid down in this section for the guidance of Revenue-officers.

CHAPTER XII.

DISTRRAINT.

121. Where an arrear of rent is due to the landlord of a raiyat or under-raiyat, and has not been due for more than a year, and no [B. B., ss. 101, 104, 123. Section 139.]

*Bengal Tenancy Bill.**(Chapter XII.—Distraint.—Secs. 122-125.)*

security has been accepted therefor by the landlord, the landlord may, in addition to any other remedy to which he is entitled by law, present an application to the Civil Court requesting the Court to recover the arrear by distraining, while in the possession of the cultivator—

- (a) any crops or other products of the earth standing or ungathered on the holding ;
- (b) any crops or other products of the earth which have been grown on the holding and have been reaped or gathered and are deposited on the holding, or on a threshing-floor or place for treading out grain, or the like, whether in the fields or within a homestead :

Provided that an application shall not be made under this section—

(B.C.)
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- (1) by a proprietor or manager as defined under the Land Registration Act, 1876, or a mortgagee of such a proprietor or manager, unless his name and the extent of his interest in the land in respect of which the arrear is due have been registered under the provisions of that Act ; or

- (2) for the recovery of any sum in excess of the rent payable for the holding in the preceding agricultural year, unless that sum is payable under a written contract or in consequence of a proceeding under this Act or an enactment hereby repealed ; or

ss. 71,

- (3) in respect of the produce of any part of the holding which the tenant has sub-let with the written consent of the landlord.

ss.
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in 140.]

122. (1) Every application under the last foregoing section shall specify—

- (a) the holding in respect of which the arrear is claimed, and the boundaries thereof, or such other particulars as may suffice for its identification ;
- (b) the name of the tenant ;
- (c) the period in respect of which the arrear is claimed ;
- (d) the amount of the arrear, with the interest, if any, claimed thereon, and, when an amount in excess of the rent payable by the tenant in the last preceding agricultural year is claimed, the contract, or proceeding, as the case may be, under which that amount is payable ;
- (e) the nature and approximate value of the produce to be distrained ;
- (f) the place where it is to be found, or such other particulars as may suffice for its identification ; and
- (g) if it is standing or ungathered, the time at which it is likely to be cut or gathered.

(2) The application shall be signed and verified in the manner prescribed by the Code of

Civil Procedure for the signing and verification of plaints. XI
188

123. (1) The applicant shall, at the time of filing an application under the foregoing sections, file in Court such documentary evidence (if any) as he may consider necessary for the purposes of the application. N.
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(2) The Court may, if it thinks fit, examine the applicant, and shall, with as little delay as possible, admit the application or reject it, or permit the applicant to furnish additional evidence in support of it.

(3) Where a Court cannot forthwith admit or reject an application under sub-section (2), it may, if it thinks fit, make an order prohibiting the removal of the produce specified in the application pending the execution of an order for distraining the same or the rejection of the application.

(4) When an order for distraining any produce is made under this section at a considerable time before the produce is likely to be cut or gathered, the Court may suspend the execution of the order for such time as it thinks fit, and may if it thinks fit make a further order prohibiting the removal of the produce pending the execution of the order for distraint.

124. If an application is admitted under the last foregoing section, the Court shall depute an officer to distraint the produce specified therein, or such portion of that produce as it thinks fit ; and the officer shall proceed to the place where the produce is, and distraint the produce by taking charge of it himself or placing some other person in charge of it in his behalf, and publishing a notification of the distraint in accordance with rules to that effect to be made by the High Court. N.
Sect

Execution of order of distraint.

Provided that produce which from its nature does not admit of being stored shall not be distrained under this section at any time less than twenty days before the time when it would be fit for reaping or gathering. D.

125. (1) The distraining officer shall, at the time of making the distraint, serve on the defaulter a written demand for the arrear due, and the costs incurred in making the distraint, with an account exhibiting the grounds on which the distraint is made. N.
Sect

(2) Where the distraining officer has reason to believe that a person other than the defaulter is the owner of the property distrained, he shall serve copies of the demand and account on that person likewise.

(3) The demand and account shall, if practicable, be served personally ; but if a person on whom they are to be served absconds or conceals himself, or cannot otherwise be found, the officer

*Bengal Tenancy Bill.**(Chapter XII.—Distrainment.—Secs. 126—136.)*

shall affix copies of the demand and account on the outer door of the house in which he usually resides.

- 109 126. (1) A distraint under this chapter shall not prevent any person from
 4.] Right to reap, &c., reaping, gathering or storing produce, or doing any other act necessary for its due preservation.

(2) If the person entitled to do so fails to do so at the proper time, the distraining officer shall cause any standing crops or ungathered products distrained to be reaped or gathered when ripe, and stored in such granaries or other places as are commonly used for the purpose, or in some other convenient place in the neighbourhood, or shall do whatever else may be necessary for the due preservation of the same.

(3) In either case the distrained property shall remain in the charge of the distraining officer, or of some other person appointed by him in this behalf.

127. (1) Unless the demand, with all costs of the distraint, be immediately satisfied, the distraining officer shall issue a proclamation specifying the particulars of the property distrained and the demand for which it is distrained, and notifying that he will, at a place and on a specified day, not being less than three or more than seven days after the time of making the distraint, sell the distrained property by public auction:

Provided that when the crops or products distrained from their nature admit of being stored but have not yet been stored, the day of the sale shall be so fixed as to admit of their being made ready for storing before its arrival.

(2) The proclamation shall be stuck up on a conspicuous place in the village in which the land is situate for which the arrears of rent are claimed.

128. The sale shall be held at the place where the distrained property is, or at the nearest place of public resort if the distraining officer is of opinion that it is likely to sell there to better advantage.

129. (1) Crops or products which from their nature admit of being stored shall not be sold before they are reaped or gathered and are ready for storing.

(2) Crops or products which from their nature do not admit of being stored may be sold before they are reaped or gathered, and the purchaser shall be entitled to enter on the land by himself, or by any person appointed by him in this behalf, and do all that is necessary for the purpose of tending and reaping or gathering them.

130. The property shall be sold by public auction in one or more lots, as the officer holding the sale may think advisable; and if the demand, with the costs of distraint and sale, is satisfied by the sale of a portion of the property, the distraint shall be immediately withdrawn with respect to the remainder.

131. If, on the property being put up for sale, a fair price (in the estimation of the officer holding the sale) is not offered for it, and if the owner of the property, or a person authorised to act in his behalf, applies to have the sale postponed till the next day, or (if a market is held at the place of sale) the next market-day, the sale shall be postponed until that day, and shall be then completed, whatever price may be offered for the property.

132. The price of every lot shall be paid at the time of sale, or as soon thereafter as the officer holding the sale directs, and in default of such payment the property shall be put up again and sold.

133. When the purchase-money has been paid in full, the officer holding the sale shall give the purchaser a certificate describing the property purchased by him and the price paid.

134. (1) From the proceeds of every sale of distrained property under this chapter, the officer holding the sale shall pay the costs of the distraint and sale, calculated on a scale of charges prescribed by rules to be made by the Local Government in this behalf.

(2) The remainder shall be applied to the discharge of the arrear for which the distress was made, with interest thereon up to the day of sale; and the surplus (if any) shall be paid to the person whose property has been sold.

135. Officers holding sales of property under this Act, and all persons employed by, or subordinate to, such officers, are prohibited from purchasing, either directly or indirectly, any property sold by such officers.

136. (1) If at any time after a distraint has been made under this chapter, and before the sale of the distrained property, the defaulter, or the owner of the distrained property where he is not the defaulter, deposits in the Court issuing the order of distraint, or in the hands of the distraining officer, the amount specified in the demand served under section 125, with all costs which may have been incurred after the service of the demand, the Court or officer, as the case may be, shall grant a receipt for the same and the distraint shall forthwith be withdrawn.

*Bengal Tenancy Bill.**(Chapter XII.—Distrainment.—Secs. 137 - 142.)**(Chapter XIII.—Judicial Procedure.—Secs. 143-144.)*

(2) When the distraining officer receives the deposit, he shall forthwith pay it into the Court.

(3) A receipt granted under this section to an owner of distrained property not being the defaulter shall afford a full protection to him against any subsequent claim for the arrears of rent on account of which the distrainment was made.

(4) After the expiration of one month from the date of a deposit being made under this section, the Court shall pay therefrom to the applicant for distrainment the amount due to him, unless in the meanwhile the owner of the property distrained has instituted a suit against the applicant contesting the legality of the distrainment and claiming compensation in respect of the same.

(5) A landlord shall not be deemed to have consented to his tenant's sub-letting the holding or any part thereof merely by reason of his having received an amount deposited under this section by an inferior tenant.

s. 124.
n 155.]

137. (1) When an inferior tenant, on his property being lawfully distrained under this chapter for the default of a superior tenant, makes any payment under the last foregoing section, he shall be entitled to deduct the amount of that payment from any rent payable by him to his immediate landlord, and that landlord, if he is not the defaulter, shall in like manner be entitled to deduct the amount so deducted from any rent payable by him to his immediate landlord, and so on until the defaulter is reached.

(2) Nothing in this section shall affect the right of an inferior tenant making a payment under the last foregoing section to institute a suit for the recovery from the defaulter of any portion of the amount paid which he has not deducted under this section.

s. 126.
n 156.]

138. When land is sub-let, and any conflict arises under this chapter between the rights of a superior and of an inferior landlord who distrain the same property, the right of the superior landlord shall prevail.

ion 157.]

139. When any conflict arises between an order for distrainment issued under this chapter and an order issued by a Civil Court for the attachment or sale of the property which is the subject of the distrainment, the order for distrainment shall prevail; but, if the property is sold under that order, the surplus proceeds of the sale shall not be paid under section 134 to the owner of the property without the sanction of the Court by which the order of attachment or sale was issued.

ion 158.]

140. No appeal shall lie from any order passed by a Civil Court under this chapter; but any person whose property is distrained on an application made under section 121 in any

case in which such an application is not permitted by that section may institute a suit against the applicant for the recovery of compensation.

141. (1) When the Local Government is of opinion that in any local area or in any class of cases it would, by reason of the character of the cultivation or the habits of the cultivators, be impracticable for a landlord to realize his rent by an application to the Civil Courts under this chapter, it may, from time to time, by order, authorize the landlord to distrain, by himself or his agent, any produce for the distrainment of which he would be entitled to apply to the Civil Court under this chapter:

Provided that every person distraining any produce under such authorization shall proceed in the manner prescribed by section 124, and shall forthwith give notice, in such form as the High Court may, by rule prescribe, to the Civil Court having jurisdiction to entertain an application for distraining the produce, and that Court shall, with no avoidable delay, depute an officer to take charge of the produce distrained.

(2) When an officer of the Court has taken charge of any distrained produce under this section, the proceedings shall thereafter be conducted in all respects as if he had distrained it under section 124.

(3) The Local Government may at any time rescind any order made by it under this section.

142. The High Court may from time to time make rules consistent with this Act for regulating the procedure in all cases under this chapter.

CHAPTER XIII.

JUDICIAL PROCEDURE.

143. (1) The High Court may, from time to time, with the approval of the Governor General in Council, make rules consistent with this Act declaring that any portions of the Code of Civil Procedure shall not apply to suits between landlord and tenant as such or to any specified classes of such suits, or shall apply to them subject to modifications specified in the rules.

(2) Subject to any rules so made, and subject also to the other provisions of this Act, the Code of Civil Procedure shall apply to all such suits.

144. (1) The cause of action in all suits between landlord and tenant as such shall, for the purposes of the Code of Civil Procedure, be deemed to have arisen within the local limits of the jurisdiction of the Civil Court which would have jurisdiction to entertain a suit for the possession of the tenure or holding in connection with which the suit is brought.

(2) When under this Act a Civil Court is authorized to make an order on the application of a landlord or a tenant, the application shall

*Bengal Tenancy Bill.**(Chapter XIII.—Judicial Procedure.—Secs. 145—151.)*

be made to the Court which would have jurisdiction to entertain a suit for the possession of the tenure or holding in connection with which the application is brought.

[D., § 169.
B., s. 150.
B., s. 151.
(a).
Section 161.]

145 Every *nāib* or *gumāshta* of a landlord empowered in this behalf by a written authority under the hand of the landlord shall, for the purposes of every such suit, be deemed to be the recognized agent of the landlord within the meaning of the Code of Civil Procedure, notwithstanding that the landlord may reside within the local limits of the jurisdiction of the Court in which the suit is to be instituted or is pending.

[V of
§ 82.]

146. The particulars referred to in section 58 of the Code of Civil Procedure shall, in the case of such suits, instead of being entered in the register of civil suits prescribed by that section, be entered in a special register to be kept by each Civil Court, in such form as the Local Government may from time to time prescribe in this behalf.

[V of
§ 82.]

147. Subject to the provisions of section 373 of the Code of Civil Procedure, where a landlord has instituted a suit against a *raiyat* for the recovery of any rent of his holding, the landlord shall not institute another suit against him for the recovery of any rent of that holding until after three months from the date of the institution of the previous suit.

[§ 178.
B., s. 147.
B., s. 164.
Section 162.]

148. The following rules shall apply to suits for the recovery of rent :—

Procedure in rent-suits.

[B., s. 165.
B., s. 187.
Section 163.]

(a) sections 121 to 127 (both inclusive), 129, 305, and 320 to 326 (both inclusive) of the Code of Civil Procedure shall not apply to any such suit ;

[§ 149 &
B., s. 167.
B., s. 189.]

(b) the plaint shall contain, in addition to the particulars specified in section 50 of the Code of Civil Procedure, a statement of the situation, designation, extent, and boundaries of the land held by the tenant ; or, where the plaintiff is unable to give the extent or boundaries, in lieu thereof a description sufficient for identification ;

[§ 192.
B., s. 174.
B., s. 195.]

(c) the summons shall be for the final disposal of the suit, unless the Court is of opinion that the summons should be for the settlement of issues only ;

(d) the service of the summons may, if the High Court by rule, either generally, or specially for any local area, so directs, be effected, either in addition to, or in substitution for, any other mode of service, by forwarding the summons by post in a letter addressed to the defendant and registered under Part III of the Indian Post Office Act, 1866 ;

when a summons is so forwarded in a letter, and it is proved that the letter was duly posted and registered, the Court may presume that the summons has been duly served ;

(e) a written statement shall not be filed without the leave of the Court ; [D., § 108.
C. B., s. 184
B. B., s. 208]

(f) the rules for recording the evidence of witnesses prescribed by section 149 of the Code of Civil Procedure shall apply, whether an appeal is allowed or not ; [H.B., s. 214.] **XIV of 1882.**

(g) the Court may, when passing the decree, order on the oral application of the decree-holder the execution thereof, unless it is a decree for ejectment for arrears ; [D., §§ 177
223.
C. B., s. 151
& 197.
B. B., s. 17
& 219.]

(h) notwithstanding anything contained in section 232 of the Code of Civil Procedure, an application for the execution of a decree for arrears obtained by a landlord shall not be made by an assignee of the decree unless the landlord's interest in the land has become and is vested in him. [C. B., s. 198
B. B., s. 220
XIV of 1882.

149. (1) When a defendant admits that money is due from him on account of money admitted to be due to third person, but pleads that it is due not to the plaintiff but to a third person, the Court shall, except for special reasons to be recorded in writing, refuse to take cognizance of the plea unless the defendant pays into Court the amount so admitted to be due. [Section 164]

(2) Where such a payment is made the Court shall forthwith cause notice of the payment to be served on the third person.

(3) Unless the third person within three months from the receipt of the notice institutes a suit against the plaintiff and therein obtains an order restraining payment out of the money, it shall be paid out to the plaintiff on his application.

(4) Nothing in this section shall affect the right of any person to recover from the plaintiff money paid to him under sub-section (3).

150. When a defendant admits that money is due from him to the plaintiff on account of rent, but pleads that the amount claimed is in excess of the amount due, the Court shall, except for special reasons to be recorded in writing, refuse to take cognizance of the plea unless the defendant pays into Court the amount so admitted to be due. [Section 165]

151. When a defendant is liable to pay money into Court under either of the two last foregoing sections, if the Court thinks that there are sufficient reasons for so ordering, it may take cognizance of the defendant's plea on his paying into Court such reasonable portion of the money as the Court directs. [Section 166]

Provision as to payment of portion of money.

*Bengal Tenancy Bill.**(Chapter XIII.—Judicial Procedure.—Secs. 152—156.)*

187.] 152. When a defendant pays money into Court under either of the said sections, the Court shall give the defendant a receipt, and the receipt so given shall operate as an acquittance in the same manner and to the same extent as if it had been given by the plaintiff or the third person as the case may be.

179. 153. An appeal shall not lie from any decree or order passed, whether in the first instance or on appeal, in any suit instituted by a landlord for the recovery of rent where—

(a) the decree or order is passed by a District Judge, Additional Judge or Subordinate Judge, and the amount claimed in the suit does not exceed one hundred rupees, or

(b) the decree or order is passed by any other judicial officer specially empowered by the Local Government to exercise final jurisdiction under this section, and the amount claimed in the suit does not exceed fifty rupees ;

unless in either case the decree or order has decided a question relating to title to land or to some interest in land as between parties having conflicting claims thereto, or a question of a right to enhance or vary the rent of a tenant, or a question of the amount of rent annually payable by a tenant :

Provided that the District Judge may call for the record of any case in which a judicial officer as aforesaid has passed a decree or order to which this section applies, if it appears that the judicial officer has exercised a jurisdiction not vested in him by law, or has failed to exercise a jurisdiction so vested, or has acted in the exercise of his jurisdiction illegally or with material irregularity ; and may pass such order as the District Judge thinks fit.

96. 154. A decree for enhancement of rent under this Act, if passed in a suit instituted in the first eight months of an agricultural year, shall ordinarily take effect on the commencement of the agricultural year next following ; and, if passed in a suit instituted in the last four months of the agricultural year, shall ordinarily take effect on the commencement of the agricultural year next but one following ; but nothing in this section shall prevent the Court from fixing for special reasons a later date from which any such decree shall take effect.

21. 155. (1) A suit for the relief against forfeiture of a tenant's ground—

170.] (a) that he has used the land in a manner which renders it unfit for the purposes of the tenancy, or

(b) that he has broken a condition on breach of which he is, under the terms of a con-

tract between him and the landlord, liable to ejection,

shall not be entertained unless the landlord has served, in the prescribed manner, a notice on the tenant specifying the particular misuse or breach complained of, and, where the misuse or breach is capable of remedy, requiring the tenant to remedy the same, and, in any case, to pay reasonable compensation for the misuse or breach, and the tenant has failed to comply within a reasonable time with that request.

(2) A decree passed in favour of a landlord in any such suit shall declare the amount of compensation which would reasonably be payable to the plaintiff for the misuse or breach, and whether, in the opinion of the Court, the misuse or breach is capable of remedy, and shall fix a period during which it shall be open to the defendant to pay that amount to the plaintiff, and, where the misuse or breach is declared to be capable of remedy, to remedy the same.

(3) The Court may, from time to time, for special reasons, extend a period fixed by it under subsection (2).

(4) If the defendant, within the period or extended period (as the case may be) fixed by the Court under this section, pays the compensation mentioned in the decree, and, where the misuse or breach is declared by the Court to be capable of remedy, remedies the misuse or breach to the satisfaction of the Court, the decree shall not be executed.

156. The following rules shall apply in the case of every raiyat ejected from a holding :—

(a) when the raiyat has, before the date of his ejection, sown or planted crops in any land comprised in the holding, he shall be entitled, at the option of the landlord, either to retain possession of that land and to use it for the purpose of tending and gathering in the crops, or to receive from the landlord the value of the crops as estimated by the Court executing the decree for ejection ;

(b) when the raiyat has, before the date of his ejection, prepared for sowing any land comprised in his holding, but has not sown or planted crops in that land, he shall be entitled to receive from the landlord the value of the labour and capital expended by him in so preparing the land, as estimated by the Court executing the decree for ejection, together with reasonable interest on that value ;

(c) but a raiyat shall not be entitled to retain possession of any land or receive any sum in respect thereof under this section where, after the commencement of pro-

Bengal Tenancy Bill.

(Chapter XIII.—Judicial Procedure.—Secs. 157 & 158.)

(Chapter XIV.—Sale for Arrears under Decree.—Secs. 159—162.)

ceedings by the landlord for his ejection, he has cultivated or prepared the land contrary to local usage;

a. 80,
s. 73.]

(d) if the landlord elects under this section to allow a raiyat to retain possession of the land, the raiyat shall pay to the landlord, for the use and occupation of the land during the period for which he is allowed to retain possession of the same, such rent as the Court exercising the decree for ejection may deem reasonable.

on 173.]

157. When a plaintiff institutes a suit for the ejection of a trespasser he may, if he thinks fit, claim as alternative relief that the defendant be declared liable to pay for the land in his possession a fair and equitable rent to be determined by the Court, and the Court may grant such relief accordingly.

a. 151.
s. 168.
174.]

158. (1) The Court having jurisdiction to determine a suit for the possession of land held by a tenant may, on the application of either the landlord or the tenant, determine all or any of the following matters, namely:—

- (a) the situation, quantity and boundaries of the land held by the tenant;
- (b) the class to which he belongs, that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, occupancy-raiyat, non-occupancy-raiyat, or under-raiyat, and, if he is a tenure-holder, whether he is a permanent tenure-holder or not and whether his rent is liable to enhancement during the continuance of his tenure; and
- (c) the rent payable by him at the time of the application.

(2) If in the opinion of the Court any of these matters cannot be satisfactorily determined without a local inquiry, the Court may direct that a local inquiry be held under Chapter XXV of the Code of Civil Procedure by such Revenue-officer as the Local Government may authorize in that behalf by rule made under section 392 of the said Code.

(3) The order on any application under this section shall have the effect of, and be subject to the like appeal as, a decree.

CHAPTER XIV.

SALE FOR ARREARS UNDER DECREE.

n 175]

159. Where a tenure or holding is sold in execution of a decree for arrears due in respect thereof, the purchaser shall take subject to the interests defined in this chapter as "protected interests", but with power to annul the interests defined in this chapter as "incumbrances:"

Provided as follows:—

(a) a registered and notified incumbrance within the meaning of this chapter shall not be so annulled except in the case hereinafter mentioned in that behalf;

(b) the power to annul shall be exercisable only in manner by this chapter directed.

160. The following shall be deemed to be protected interests within the meaning of this chapter—

[D., §§ 1 and 156; C. B., s. 181, & B. B., s. 181, & Section 1

(a) any under-tenure existing from the time of the Permanent Settlement;

(b) any under-tenure recognized by the settlement proceedings of any current temporary settlement as a tenure at a rent fixed for the period of that settlement;

(c) any lease of land whereon dwelling-houses, manufactories or other permanent buildings have been erected, or permanent gardens, plantations, tanks, canals, places of worship or burning or burying grounds have been made;

(d) any right of occupancy;

(e) the right of a non-occupancy-raiyat to hold for five years at a rent fixed under Chapter VI by a Court, or under Chapter X by a Revenue-officer;

(f) any right conferred on an occupancy-raiyat to hold at a rent which was a fair and reasonable rent at the time the right was conferred; and

(g) any right or interest which the landlord at whose instance the tenure or holding is sold, or his predecessor in title, has expressly and in writing given the tenant for the time being permission to create.

Meaning of "incumbrance" and "registered and notified incumbrance." **161.** For the purposes of this chapter—

(a) the term "incumbrance", used with reference to a tenure, means any lien, sub-tenancy, easement or other right or interest created by the tenant on his tenure or holding or in limitation of his own interest therein, and not being a protected interest as defined in the last foregoing section;

(b) the term "registered and notified incumbrance", used with reference to a tenure or holding sold or liable to sale in execution of a decree for an arrear of rent due in respect thereof, means an incumbrance created by a registered instrument of which a copy has, not less than three months before the accrual of the arrear, been served on the landlord in manner hereinafter provided.

[C. B., s. 181, & B. B., s. 181, & Section 1

162. When a decree has been passed for an arrear of rent due for a tenure or holding, and the decree-holder applies under section 235 of the Code of Civil Procedure for the attachment of the land or holding, the Court may, if it thinks fit, order the sale of the land or holding in satisfaction of the decree.

[C. B., s. 181, & B. B., s. 181, & Section 1

*Bengal Tenancy Bill.**(Chapter XIV.—Sale for Arrears under Decree.—Secs. 163—168.)*

ment and sale of the tenure or holding in execution of the decree, he shall produce a statement showing the pargana, estate and village in which the land comprised in the tenure or holding is situate, the yearly rent payable for the same and the total amount recoverable under the decree.

152.
s. 208.
s. 226.
s. 179.]
of
163. (1) Notwithstanding anything contained in the Code of Civil Procedure, when the decree-holder makes the application mentioned in the last foregoing section, the Court shall, if under section 245 of the said Code it admits the application and orders execution of the decree as applied for, issue simultaneously the order of attachment and the proclamation required by section 287 of the said Code.

(2) The proclamation shall, in addition to stating and specifying the particulars mentioned in section 287 of the said Code, announce—

(a) in the case of a tenure or a holding of a raiyat holding at fixed rates, that the tenure or holding will first be put up to auction subject to the registered and notified incumbrances, and will be sold subject to those incumbrances if the sum bid is sufficient to liquidate the amount of the decree and costs, and that otherwise it will, if the decree-holder so desires, be sold on a subsequent day, of which due notice will be given, with power to annul all incumbrances; and

(b) in the case of an occupancy-holding, that the holding will be sold with power to annul all incumbrances.

(3) The proclamation shall, besides being made in the manner prescribed by section 289 of the said Code, be published by fixing up a copy thereof in a conspicuous place on the land comprised in the tenure or holding ordered to be sold, and shall also be published in such manner as the Local Government may, from time to time, direct in this behalf.

(4) Notwithstanding anything contained in section 290 of the said Code, the sale shall not, without the consent in writing of the judgment-debtor, take place until after the expiration of at least thirty days calculated from the date on which the copy of the proclamation has been fixed up on the land comprised in the tenure or holding ordered to be sold.

s. 206.
s. 228 (a)
pl.
[180.]
164. (1) When a tenure or a holding at fixed rates has been advertised for sale under the last foregoing section, it shall be put up to auction, subject to registered and notified incumbrances; and, if the bidding reaches a sum sufficient to liquidate the amount of the decree and costs, including the costs of sale, the tenure or holding shall be sold subject to such incumbrances.

(2) The purchaser at a sale under this section may, in manner provided by section 167, and not otherwise, annul any incumbrance upon the tenure or holding not being a registered and notified incumbrance.

165. (1) If the bidding for a tenure or a holding at fixed rates put up to auction under the last foregoing section does not reach a sum sufficient to liquidate the amount of the decree and costs as aforesaid, and if the decree-holder thereupon desires that the tenure or holding be sold with power to avoid all incumbrances, the officer holding the sale shall adjourn the sale and make a fresh proclamation under section 289 of the Code of Civil Procedure, announcing that the tenure or holding will be put up to auction and sold with power to avoid all incumbrances upon a future day specified therein, not less than fifteen or more than thirty days from the date of the postponement; and upon that day the tenure or holding shall be put up to auction and sold with power to avoid all incumbrances.

[C. B., s. 22
B. B., s. 2
Section 1
(1).]
[XIV of
1882.]

(2) The purchaser at a sale under this section may, in manner provided by section 167, and not otherwise, annul any incumbrance on the tenure or holding.

166. (1) When an occupancy-holding has been advertised for sale under section 163, it shall be put up to auction and sold with power to avoid all incumbrances.

(2) The purchaser at a sale under this section may, in manner provided by the next following section, and not otherwise, annul any incumbrance on the holding.

167. (1) A purchaser having power to annul an incumbrance under any of the foregoing sections and desiring to annul the same, may, within one year from the date of the sale or the date on which he first has notice of the incumbrance, whichever is later, present to the Collector an application in writing, requesting him to serve on the incumbrancer a notice declaring that the incumbrance is annulled.

(2) Every such application must be accompanied by such fee for the service of the notice as the Board of Revenue may fix in this behalf.

(3) When an application for service of a notice is made to the Collector in manner prescribed by this section, he shall cause the notice to be served in compliance therewith, and the incumbrance shall be deemed to be annulled from the date on which it is so served.

168. (1) The Local Government may, from time to time, by notification in the official Gazette, direct that occupancy-holdings or any specified class of occupancy-holdings in any local area put up for sale in execution of decrees for rent due on them shall, before being put up with power to avoid all incumbrances, be put up subject to registered and

[B. B., s. 1
(a).
Section 11]

*Bengal Tenancy Bill.**(Chapter XIV.—Sale for Arrears under Decree.—Secs. 169—174.)*

notified incumbrances, and may by like notification rescind any such direction.

(2) While any such direction remains in force in respect of any local area, all occupancy-holdings, or, as the case may be, occupancy-holdings of the specified class in that local area, shall, for the purposes of sale under the foregoing sections of this chapter, be treated in all respects as if they were tenures.

46. 169. (1) In disposing of the proceeds of a sale
211. under this chapter, the fol-
233. Rules for disposal of lowing rules, instead of those
186.] the sale-proceeds. prescribed by section 295 of
of the Code of Civil Procedure, shall be observed,
that is to say:—

(a) there shall first be paid to the decree-holder the costs incurred by him in bringing the tenure or holding to sale;

(b) there shall, in the next place, be paid to the decree-holder the amount due to him under the decree in execution of which the sale was made;

(c) if there remains a balance after these sums have been paid, there shall be paid to the decree-holder therefrom any rent which may have fallen due to him in respect of the tenure or holding between the institution of the suit and the date of the sale;

(d) the balance (if any) remaining after the payment of the rent mentioned in clause (c) shall, upon the expiration of two months from the confirmation of the sale, be paid to the judgment-debtor upon his application.

(2) If the judgment-debtor disputes the decree-holder's right to receive any sum on account of rent under clause (c), the Court shall determine the dispute, and the determination shall have the force of a decree.

53. 204. Tenure or holding to
226. be released from attach-
187.] ment only on payment
of into Court of amount of
decree with costs, or on
confession of satisfaction
by decree-holder.

(2) When an order for the sale of a tenure or holding in execution of such a decree has been made, the tenure or holding shall not be released from attachment unless, before it is knocked down to the auction-purchaser, the amount of the decree, including the costs decreed, together with the costs incurred in order to the sale, is paid into Court, or the decree-holder makes an application for the release of the tenure or holding on the ground that the decree has been satisfied out of Court.

(3) The judgment-debtor or any person having in the tenure or holding any interest voidable on the sale may pay money into Court under this section.

171. (1) When any person having, in a tenure or holding advertised for sale under this chapter, an interest which would be voidable upon the sale, pays into Court the amount requisite to prevent the sale,—

(a) the amount so paid by him shall be deemed to be a debt bearing interest at twelve per centum per annum and secured by a mortgage of the tenure or holding to him;

(b) his mortgage shall take priority of every other charge on the tenure or holding other than a charge for arrear of rent; and

(c) he shall be entitled to possession of the tenure or holding as mortgagee of the tenant and to retain possession of it as such until the debt, with the interest due thereon, has been discharged.

(2) Nothing in this section shall affect any other remedy to which any such person would be entitled.

172. When a tenure or holding is advertised for sale under this chapter in execution of a decree against a superior tenant defaulting, and an inferior tenant, whose interest would be voidable upon the sale, pays money into Court in order to prevent the sale, he may, in addition to any other remedy provided for him by law, deduct the whole or any portion of the amount so paid from any rent payable by him to his immediate landlord; and that landlord, if he is not the defaulter, may in like manner deduct the amount so deducted from any rent payable by him to his immediate landlord, and so on until the defaulter is reached.

173. (1) Notwithstanding anything contained in section 294 of the Code of Civil Procedure, the holder of a decree in execution of which a holding is sold under this chapter may, without the permission of the Court, bid for or purchase the tenure or holding.

(2) The judgment-debtor shall not bid for or purchase a holding so sold.

(3) When a judgment-debtor purchases by himself or through another person a holding so sold, the Court may, if it thinks fit, on the application of the decree-holder or any other person interested in the sale, by order set aside the sale, and the costs of the application and order, and any deficiency of price which may happen on the re-sale, and all expenses attending it, shall be paid by the judgment-debtor.

174. (1) Where a tenure or holding is sold for an arrear of rent due thereon, then, at any time within thirty days from the date of sale, the judgment-debtor may apply to have the sale set aside, on his depositing in Court, for payment to the decree-holder, the amount recoverable

[D., §§ 21
154.

C. B., s. 1
B. B., s.
Section 1

XIV of
1882.

[C. B., s. 1
(1).
B. B., s. 2
(1).

Section 18

*Bengal Tenancy Bill.**(Chapter XVII.—Sale for Arrears under Decree.—Secs. 175—177.)**(Chapter XV.—Contract and Custom.—Secs. 178—180.)*

under the decree with costs, and, for payment to the purchaser, a sum equal to five per cent. of the purchase-money.

(2) If such deposit is made within the thirty days, the Court shall pass an order setting aside the sale:

XIV of
1882.

Provided that, if a judgment-debtor applies under section 311 of the Code of Civil Procedure to set aside the sale of his tenure or holding, he shall not be entitled to make an application under this section.

Section 191.]
XIV of
1882.

(3) Section 313 of the Code of Civil Procedure shall not apply to any sale under this chapter.

Section 192.]

III of 1877.

175. Notwithstanding anything contained in Part IV of the Indian Registration Act, 1877, an instrument creating an incumbrance upon any tenure or holding which has been executed before the commencement of this Act, and is not required by section 17 of the said Registration Act to be registered, shall be accepted for registration under that Act if it is presented for that purpose to the proper officer within one year from the commencement of this Act.

G. B., s. 206.
Xpl.
G. B., s. 2.
Xpl.
Section 193.]

176. Every officer who has, whether before or after the passing of this Act, registered an instrument executed by a tenant of a tenure or holding and creating an incumbrance on the tenure or holding, shall, at the request of the tenant or of the person in whose favour the incumbrance is created, and on payment by him of such fee as the Local Government may fix in this behalf, notify the incumbrance to the landlord by causing a copy of the instrument to be served on him in the prescribed manner.

177. Nothing contained in this chapter shall be deemed to enable a person to create an incumbrance which he could not otherwise lawfully create.

CHAPTER XV.

CONTRACT AND CUSTOM.

Section 210.]

178. (1) Nothing in any contract between a landlord and tenant made before or after the passing of this Act—

(a) shall bar in perpetuity the acquisition of an occupancy-right in land, or

(b) shall take away an occupancy-right in existence at the date of the contract, or

(c) shall entitle a landlord to eject a tenant otherwise than in accordance with the provisions of this Act, or

(d) shall take away or limit the right of a tenant, as provided by this Act, to make improvements and claim compensation for them.

(2) Nothing in any contract made between a landlord and tenant since the 15th day of July, 1880, and before the passing of this Act shall prevent a raiyat from acquiring in accordance with this Act an occupancy-right in land.

(3) Nothing in any contract made between a landlord and tenant after the passing of this Act shall—

(a) prevent a raiyat from acquiring in accordance with this Act an occupancy-right in land;

(b) take away or limit the right of an occupancy-raiyat to use land as provided by section 23;

(c) take away the right of a raiyat to surrender his holding in accordance with section 86;

(d) take away the right of a raiyat to transfer or bequeath his holding in accordance with local usage;

(e) take away the right of a raiyat to sub-let subject to and in accordance with the provisions of this Act;

(f) take away the right of a raiyat to apply for a reduction of rent under section 38 or section 52;

(g) take away the right of a landlord or tenant to apply for a commutation of rent under section 40; or

(h) affect the provisions of section 67 relating to interest payable on arrears of rent:

Provided as follows:—

(i) nothing in this section shall affect the terms or conditions of a lease granted *bond fide* for the reclamation of waste land, except that, where, on or after the expiration of the term created by the lease, the lessee would under Chapter V be entitled to an occupancy right in the land comprised in the lease, nothing in the lease shall prevent him from acquiring that right;

(ii) nothing in this section shall affect the terms or conditions of any contract for the temporary cultivation of orchard land with agricultural crops.

179. Nothing in this Act shall be deemed to prevent a proprietor or a holder of a permanent tenure in a permanently-settled area from granting a permanent mukarrari lease on any terms agreed on between him and his tenant.

Urbandi, char and des-rah lands.

180. (1) Notwithstanding anything in this Act, a raiyat—

(a) who in any part of the country where the custom of *utbandi* prevails, holds land ordi-

Bengal Tenancy Bill.

(Chapter XV.—Contract and Custom.—Secs. 181—183.)

(Chapter XVI.—Limitation. Chapter XVII.—Supplemental.—Secs. 184—187.)

narily let under that custom and for the time being let under that custom, and

(b) who holds land of the kind known as chur or dearah,—

shall not acquire a right of occupancy—

in case (a), in land ordinarily held under the custom of útbandi and for the time being held under that custom,

in case (b), in the chur or dearah land—

until he has held the land in question for twelve continuous years; and, until he acquires a right of occupancy in the land, he shall be liable to pay such rent for his holding as may be agreed on between him and his landlord.

(2) Chapter VI shall not apply to raiyats holding land under the custom of útbandi in respect of land held by them under that custom.

(3) The Collector may, on the application of either the landlord or the tenant or on a reference from the Civil Court, declare that any land has ceased to be chur or dearah land within the meaning of this section, and thereupon all the provisions of this Act shall apply to the land.

n 215.] 181. Nothing in this Act shall affect any incident of a ghátwáli or other service-tenure, or, in particular, shall confer a right to transfer or bequeath a service-tenure which, before the passing of this Act, was not capable of being transferred or bequeathed.

n 216.] 182. When a raiyat holds his homestead otherwise than as part of his holding as a raiyat, the incidents of his tenancy of the homestead shall be regulated by local custom or usage, and, subject to local custom or usage, by the provisions of this Act applicable to land held by a raiyat.

n 217.] 183. Nothing in this Act shall affect any custom, usage or customary right not inconsistent with, or not expressly or by necessary implication modified or abolished by, its provisions.

Illustrations.

(1) A usage under which a raiyat is entitled to sell his holding without the consent of his landlord is not inconsistent with, and is not expressly or by necessary implication modified or abolished by, the provisions of this Act. That usage, accordingly, wherever it may exist, will not be affected by this Act.

a. 19, 3 (f), a. 19, 4 (e),] (2) The custom or usage that an under-raiyat should, under certain circumstances, acquire a right of occupancy is not inconsistent with, and is not expressly or by necessary implication modified or abolished by, the provisions of this Act. That custom or usage, accordingly, wherever it exists, will not be affected by this Act.

CHAPTER XVI.

LIMITATION.

184. (1) The suits, appeals and applications specified in Schedule III annexed to this Act shall be instituted and made within the time prescribed in that schedule for them respectively; and every such suit or appeal instituted, and application made, after the period of limitation so prescribed, shall be dismissed, although limitation has not been pleaded.

(2) Nothing in this section shall revive the right to institute any suit or appeal or make any application which would have been barred by limitation if it had been instituted or made immediately before the commencement of this Act.

185. Sections 7, 8 and 9 of the Indian Limitation Act, 1877, shall not apply to the suits and applications mentioned in the last foregoing section.

CHAPTER XVII.

SUPPLEMENTAL.

Penalties.

186. (1) If any person, otherwise than in accordance with this Act or some other enactment for the time being in force,—

- (a) distrains or attempts to distrain the produce of a tenant's holding, or
- (b) resists a distraint duly made under this Act, or forcibly or clandestinely removes any property duly distrained under this Act, or
- (c) except with the authority or consent of the tenant, prevents or attempts to prevent the reaping, gathering, storing, removing or otherwise dealing with any produce of a holding,

he shall be deemed to have committed criminal trespass within the meaning of the Indian Penal Code.

(2) Any person who abets within the meaning of the Indian Penal Code the doing of any act mentioned in sub-section (1) shall be deemed to have abetted the commission of criminal trespass within the meaning of that Code.

Agents and representatives of landlords.

187. (1) Any appearance, application or act, in, before or to any Court or authority, required or authorised by this Act to be made or done by a landlord, may, unless the Court or authority otherwise directs, be made or done also by an agent empowered in this behalf by a written authority under the hand of the landlord.

Bengal Tenancy Bill.

(Chapter XVII.—Supplemental.—Sees. 188—194.)

rents and
representa-
tives of land-
lords.

(2) Every notice required by this Act to be served on, or given to, a landlord shall, if served on, or given to, an agent empowered as aforesaid to accept service of or receive the same on behalf of the landlord, be as effectual for the purposes of this Act as if it had been served on, or given to the landlord in person.

(3) Every document required by this Act to be signed or certified by a landlord, except an instrument appointing or authorizing an agent, may be signed or certified by an agent of the landlord authorized in writing in that behalf.

Section
188.]

188. Where two or more persons are joint-landlords, anything which the landlord is under this Act required or authorized to do must be done either by both or all those persons acting together, or by an agent authorized to act on behalf of both or all of them.

Joint-landlords to act
collectively or by common
agent.

Rules under Act.

Section
189.]
rules under
Act.

189. The Local Government may, from time to time, by notification in the official Gazette, make rules consistent with this Act—
Power to make rules
regarding procedure,
powers of officers and
service of notices.

(1) to regulate the procedure to be followed by Revenue-officers in the discharge of any duty imposed upon them by or under this Act, and may by such rules confer upon any such officer—

(a) any power exercised by a Civil Court in the trial of suits;

(b) power to enter upon any land, and to survey, demarcate and make a map of the same, and any power exercisable by any officer under the Bengal Survey Act, 1875; and

(c) power to cut and thresh the crops on any land and weigh the produce, with a view to estimating the capabilities of the soil; and

(2) to prescribe the mode of service of notices under this Act where no mode is prescribed by this or any other Act.

7 (B. C.) of
375.

Section
190.]

190. (1) Every authority having power to make rules under any section of this Act shall, before making the rules, publish a draft of the proposed rules for the information of persons likely to be affected thereby.
Procedure for making,
publication and confirm-
ation of rules.

(2) The publication shall be made, in the case of rules made by the Local Government or High Court, in such manner as may in its opinion be sufficient for giving information to persons interested, and, in the case of rules made by any other authority, in the prescribed manner:

Provided that every such draft shall be published in the official Gazette.

(3) There shall be published with the draft a Rules and notice specifying a date, not earlier than the ex-Act. piration of one month after the date of publication, at or after which the draft will be taken into consideration.

(4) The authority shall receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(5) The publication in the official Gazette of a rule purporting to be made under this Act shall be conclusive evidence that it has been duly made.

(6) All rules made under this Act may, from time to time, be amended, added to or cancelled by the authority having power to make the same.

Provisions as to temporarily-settled districts.

191. Where the area comprised in a tenure is situate in an estate which has never been permanently settled, nothing in this Act shall prevent the enhancement of the rent upon the expiration of a temporary settlement of the revenue, unless the right to hold beyond the term of the settlement at a particular rate of rent has been expressly recognized in settlement-proceedings by a Revenue-authority empowered by the Government to make definitively or confirm settlements.
Provision
as to tem-
porarily-se-
ttled districts.
[C. B., s.
17, Excep-
B. B., ss.
16, Excep-
tion.
Section 2]

192. When a landlord grants a lease, or makes any other contract, purporting to entitle the tenant of land not included in an area permanently settled to hold that land free of rent or at a particular rent, and while the lease or contract is in force—
Power to alter rent in
case of new assessment
of revenue.
[D., § 42
Section 2]

(a) land-revenue is for the first time made payable in respect of the land, or

(b) land-revenue having been previously payable in respect of it, a fresh settlement of land-revenue is made,

a Revenue-officer may, notwithstanding anything in the contract between the parties, by order, on the application of the landlord or of the tenant, fix a fair and equitable rent for the land in accordance with the provisions of this Act.

Rights of pasturage, &c.

193. The provisions of this Act applicable to Rights of suits for the recovery of pasturage, arrears of rent shall, as far as may be, apply to suits for the recovery of anything payable or deliverable in respect of any rights of pasturage, forest-rights, rights over fisheries and the like.
Rights of pasturage,
forest-rights, &c.
[D., § 82
C. B., s.
B. B., s.
"Rent"
"land."
Section 2]

Saving for conditions binding on landlords.

194. Where a proprietor or permanent tenure-holder holds his estate or tenure subject to the observance of any specified rule or condition, nothing
Tenant not enabled by
Act to violate conditions
binding on landlord.
Saving for
conditions
binding
on landlord.

*Bengal Tenancy Bill.**Chapter XVII.—Supplemental.—Secs. 195-196.**(Schedule I.—Repeal of Enactments.)*

in this Act shall entitle any person occupying land within the estate or tenure to do any act which involves a violation of that rule or condition.

Savings for special enactments.

- Savings for special enactments.*
195. Nothing in this Act shall affect—
- the powers and duties of Settlement-officers as defined by any law not expressly repealed by this Act;
 - any enactment regulating the procedure for the realization of rents in estates belonging to the Government, or under the management of the Court of Wards or of the Revenue-authorities;
 - any enactment relating to the avoidance of tenancies and incumbrances by a sale for arrears of the Government revenue;
 - any enactment relating to the partition of revenue-paying estates;
 - any enactment relating to patni tenures which is not expressly repealed by this Act; or
 - any other special or local law not repealed either expressly or by necessary implication by this Act.

Construction of Act.

196. This Act shall be read subject to every Act passed after its commencement by the Lieutenant-Governor of Bengal in Council.

SCHEDULE I.

(See section 2.)

REPEAL OF ENACTMENTS.

Regulations of the Bengal Code.

Number and year.	Subject of Regulation.	Extent of repeal.
VIII of 1793	A Regulation for re-enacting with modifications and amendments the rules for the Decennial Settlement of the Public Revenue payable from the lands of the zamindars, independent taluqdars and other actual proprietors of land in Bengal, Behar and Orissa, passed for those Provinces respectively on the 18th September, 1789, the 25th November, 1789, and the 10th February, 1790, and subsequent dates.	Sections 51, 52, 53, 54, 55, 64 and 65.
XII of 1805	A Regulation for the settlement and collection of the Public Revenue in the zila of Cuttack, including the parganas of Pattaspur, Kummudichour, and Bagrae, at present included in the zila of Midnapur.	Section 7.

SCHEDULE I—*contd.*

Number and year.	Subject of Regulation.	Extent of repeal.
V of 1812	A Regulation for amending some of the rules at present in force for the collection of the Land-revenue.	Sections 2, 3, 4, 26 and 27.
XVIII of 1812	A Regulation for explaining Section 2, Regulation V, 1812, and rescinding Sections 3 and 4, Regulation XLIV, 1793, and Sections 3 and 4, Regulation I, 1795, and enacting other rules in lieu thereof.	The preamble and sections 2 and 3.
XI of 1825	A Regulation for declaring the rules to be observed in determining claims to lands gained by alluvion or by detraction of a river or the sea.	In clause 1 of section 4, from and including the words "nor if annexed to a subordinate tenure" to the end of the clause.

Acts of the Bengal Council.

Number and year.	Subject of Act.	Extent of repeal.
VI of 1862	An Act to amend Act X of 1859 (to amend the law relating to the recovery of rent in the Presidency of Fort William in Bengal).	The whole Act.
IV of 1867	An Act to explain and amend Act VI of 1862, passed by the Lieutenant-Governor of Bengal in Council, and to give validity to certain judgments.	The whole Act.
VIII of 1869	An Act to amend the Procedure in suits between Landlords and Tenants.	The whole Act.
VIII of 1879	An Act to define and limit the powers of Settlement-officers.	The whole Act.

Act of the Governor General in Council.

Number and year.	Subject of Act.	Extent of repeal.
X of 1859	An Act to amend the law relating to the recovery of rent in the Presidency of Fort William in Bengal.	The whole Act.

Bengal Tenancy Bill.

(Schedule II.—Forms of Receipt and Account.)

SCHEDULE II.

FORMS OF RECEIPT AND ACCOUNT.

(See sections 56 and 57.)

FORM OF RECEIPT.

PARTICULARS OF THE HOLDING (LANDLORD'S PORTION).

1. Serial number of Receipt

2. Estate ; Village ; Tháná

3. Tenant's name , Son of

4. Particulars of the holding—

Nukli, Bighás ; rent Rs.

Baouli, Bighás ; Maunds ; or Rs.

Government Cesses { *Julkur*, Rs.
Bunkur, Rs.
Phulkur, Rs.
Road Cess, Rs.
Public Works Cess, Rs.

5. Signature of the Landlord or his Authorized Agent

Section 55 of the Bengal Tenancy Act, 1885, provides as follows:—

- (1) When a tenant makes a payment on account of rent, he may declare the year or the year and instalment to which he wishes the payment to be credited, and the payment shall be credited accordingly.
- (2) If he does not make any such declaration, the payment may be credited to the ac count of such year and instalment as the landlord thinks fit.

FORM OF RECEIPT.

PARTICULARS OF THE HOLDING (RAIYAT'S PORTION).

1. Serial number of Receipt

2. Estate ; Village ; Tháná

3. Tenant's name , Son of

4. Particulars of the holding—

Nukli, Bighás ; rent Rs.

Baouli, Bighás ; Maunds ; or Rs.

Government Cesses { *Julkur*, Rs.
Bunkur, Rs.
Phulkur, Rs.
Road Cess, Rs.
Public Works Cess, Rs.

5. Signature of the Landlord or his Authorized Agent

FORM OF ACCOUNT.

1. Year			
2. Tenant's name			
3. Particulars of holding—(area, rent, &c.)	Bíghás	Rate	Rs. A. P.
	<i>Nukdi</i>		
	Government Cesses		
	Bíghás	Maunds	Rs. A. P.
	<i>Baouli</i>		

	...	Maunds	Rs. A. P.
4. Demand of the year	...	...	...
5. Balance of former years (Bakaya)	...	...	...
6. Total demand (current and arrear)	...	...	Rs. A. P.
7. Paid each on account of	{ Current demand		
	{ Arrear demand		
	Maunds		
8. Paid in kind	...	...	...
9. Balance outstanding at end of year			Rs. A. P.
10. Signature of the Landlord or his authorized Agent			

FORM OF ACCOUNT.

1. Year			
2. Tenant's name			
3. Particulars of holding—(area, rent, &c.)	Bíghás	Rate	Rs. A. P.
	<i>Nukdi</i>		
	Government Cesses		
	Bíghás	Maunds	Rs. A. P.
	<i>Baouli</i>		

	...	Maunds	Rs. A. P.
4. Demand of the year	...	...	...
5. Balance of former years (Bakaya)	...	...	...
6. Total demand (current and arrear)	...	...	Rs. A. P.
7. Paid each on account of	{ Current demand		
	{ Arrear demand		
	Maunds		
8. Paid in kind	...	...	...
9. Balance outstanding at end of year			Rs. A. P.
10. Signature of the Landlord or his authorized Agent			

Bengal Tenancy Bill.
(Schedule III.—Limitation.)

SCHEDULE III.

LIMITATION.

(See section 184.)

PART I.—Suits.

Description of Suit.	Period of Limitation.	Time from which period begins to run.
1. To eject any tenure-holder or raiyat on account of any breach of a condition in respect of which there is a contract expressly providing that ejection shall be the penalty of such breach.	One year	The date of the breach.
2. For the recovery of an arrear of rent— (a) when the arrear fell due before a deposit was made under section 61 on account of the rent of the same holding. (b) in other cases	Six months Three years	The date of the service of notice of the deposit. The last day of the Bengali year in which the arrear fell due, where that year prevails, and the last day of the month of Jeyt of the Anili or Fasli year in which the arrear fell due, where either of those years prevails.
3. To recover possession of land claimed by the plaintiff as an occupancy-raiyat.	Two years	The date of dis-possession.

PART II.—Appeals.

Description of Appeal.	Period of Limitation.	Time from which period begins to run.
4. From any decree or order under this Act to the Court of a District Judge or Special Judge.	Thirty days	The date of the decree or order appealed against.
5. From any order of a Collector under this Act to the Commissioner.	Thirty days	The date of the order appealed against.

PART III.—Applications.

Description of Application.	Period of Limitation.	Time from which period begins to run.
6. For the execution of a decree or order made under this Act, or any Act repealed by this Act, and not being a decree for a sum of money exceeding Rs. 500, exclusive of any interest which may have accrued after decree upon the sum decreed, but inclusive of the costs of executing such decree, except where the judgment-debtor has by fraud or force prevented the execution of the decree.	Three years	(1) The date of the decree of order; or (2) where there has been an appeal, the date of the final decree or order of the Appellate Court; or (3) where there has been a review of judgment, the date of the decision passed on the review.

R. J. CROSTHWAITE,

Offg. Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[First Publication.]

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 20th February, 1885, and was referred to a Select Committee:—

No. 3 OF 1885.

A Bill to amend section 265 of the Indian Contract Act, 1872.

WHEREAS it is expedient to amend section 265 of the Indian Contract Act, 1872; It is hereby enacted as follows:—

New section substituted for section 265, Indian Contract Act.

1. For section 265 of the said Act the following shall be substituted, namely:—

“265. In the absence of any contract to the contrary, after the termination of a partnership, the Court may at the suit of any one of the partners or his representatives wind up the business of the firm, provide for the payment of its debts, and distribute the surplus according to the shares of the partners respectively.”

Right of partners to sue for winding-up by Court after termination of partnership.

2. In section 213 of the Code of Civil Procedure the words and figures from and including the word “applications” to the end of the section are hereby repealed.

Repeal of part of section 213, Act XIV, 1882.

STATEMENT OF OBJECTS AND REASONS.

SECTION 265 of the Indian Contract Act provides that, in the absence of any contract to the contrary, after the termination of a partnership, each partner or his representatives may apply to the Court to wind up the business of the firm, to provide for the payment of its debts and to distribute the surplus according to the shares of the partners respectively. It is explained that the Court mentioned in the section means a Court not inferior to the Court of a District Judge within the limits of whose jurisdiction the place or principal place of business of the firm is situated. This section has been the subject of various decisions by the Calcutta and other High Courts, first as to the meaning of the words “may apply”, and secondly with regard to the jurisdiction of the Courts in the case of applications under the section.

2. The use of the words “may apply” has given rise to doubts as to whether the legislature intended that proceedings under the section should be by way of miscellaneous application or by way of regular suit. It is considered that where a partner wishes to have the business of the firm wound up, the debts paid and the surplus distributed, he should proceed by instituting a regular suit. The questions which the Court has to consider in such a case cannot well be decided in a summary manner on a miscellaneous application, and in disposing of an application under section 265 the Court must in effect deal with it as if it were a suit. In using the words “may apply” the legislature intended probably to indicate merely that a partner had a right to have the business wound up, the payment of the debts provided for, and the surplus distributed, by the Court. It is unlikely that there was any intention to declare that the procedure in such a case should be by way of a miscellaneous application.

3. With regard to the question of jurisdiction, the general result of the decided cases is to confine the jurisdiction to the Court of the District Judge and thus to bring on his files a number of suits many of which are unimportant and such as could be equally well decided by the subordinate tribunals. The time of all District Judges is fully occupied by their multifarious duties, and it is very undesirable that the performance of these duties should suffer in consequence of the compulsory institution in their Courts of cases the time and labour expended over which are often entirely disproportionate to the interests at stake.

4. The present Bill has accordingly been prepared. It amends section 265 so as to show plainly that proceedings thereunder are to be by way of a regular suit, and it omits the *Explanation* to the section, thus leaving the question of jurisdiction to be decided by the ordinary rules. The Bill also repeals the last paragraph of section 213 of the Code of Civil Procedure, as the omission of the *Explanation* renders that paragraph unnecessary.

The 16th February, 1885.

C. P. ILBERT.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.



SUPPLEMENT TO The Gazette of India.

N^o 8. { CALCUTTA, SATURDAY, FEBRUARY 21, 1885.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the GAZETTE may receive the SUPPLEMENT separately on a payment of six Rupees per annum if delivered in Calcutta, or nine Rupees if sent by Post.

No Official Orders or Notifications, the publication of which in the GAZETTE OF INDIA is required by Law, or which it has been customary to publish in the CALCUTTA GAZETTE, will be included in the SUPPLEMENT. For such Orders and Notifications the only of the GAZETTE must be looked to.

GOVERNMENT OF INDIA. PUBLIC WORKS DEPARTMENT. RAILWAY TRAFFIC.

MEASURES FOR THE COMFORT AND CONVENIENCE OF NATIVE PASSENGERS.

Circular No. 2 R., dated Fort William, the 31st January 1885.

RESOLUTION—By the Government of India, Public Works Department.

Read again—

Extracts from the Proceedings of the Railway Conference which assembled in September 1882.

Government of India, Public Works Department Circular No. III Railway, dated the 1st March 1883, and enclosure.

Government of India, Public Works Department letter No. 799 R. T., dated the 17th July 1883.

Government of India, Public Works Department letter No. 870 R. T., dated the 7th August 1883.

Read also—

Note reviewing the reports regarding the provision of latrines in lower class carriages on Indian Railways.

Abstract of Reports showing the measures adopted for promoting the comfort and convenience of Native Passengers on Indian Railways.

RESOLUTION.—In publishing the above the Government of India desires to draw attention to the efforts which have been made by the various Railway Administrations, to promote the convenience of native passengers of the lower class, and to invite suggestions on the subject.

2. As regards the views expressed in connection with the provision of latrines in lower class carriages, the Government of India recognizes the difficulties attending the provision of such accommodation, but is anxious to meet, as far as possible, the not unreasonable complaints which have been

made by the public of the deficient conveniences in this respect provided on many railways.

3. From a perusal of the reports on the subject, it appears that the unsatisfactory result of the experiments made in this direction is partly attributable to the faulty design of the accommodation provided, which was in many cases unsuited to native habits. At the same time, no thoroughly satisfactory method of meeting the various difficulties has yet been suggested.

ORDER.—Ordered, that this Resolution and the papers read be communicated to the Local Governments, Administrations and Officers named in the margin for information, and that they be published for general information in the Supplement to the *Gazette of India*.

The Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab.
The Chief Commissioners, Central Provinces, Assam, and British Burma.
The Residents, Hyderabad and Mysore.
The Agents to the Governor General for Rajputana, Central India, and Biluchistan.
The Director General of Railways.
The Consulting Engineers to the Government of India for Guaranteed Railways.
The Accountant General, Public Works Department.

W. S. TREVOR, *Colonel, R.E.*,
Secretary.

Enclosure No. 1 to Railway Circular No. 2 of 1885.

ARRANGEMENTS FOR THE COMFORT AND CONVENIENCE OF THE LOWER CLASS PASSENGERS TRAVELLING BY RAIL.

78. The following remarks were laid before the Conference, and Notes* by the several Delegates put in.

* Printed below.

This subject has constantly been under consideration, and has received considerable attention from Railway Administrations; but much still remains to be done before the question can be said to have been completely and satisfactorily solved.

(1). At many of the larger stations the waiting sheds are open to the station-yards, and the lower class passengers can obtain shelter at whatever hour they may arrive. Admissions to waiting sheds. This arrangement appears good, and might, with advantage, be made universal as far as practicable.

(2). Under the Railway Act of 1879, Railway Administrations are bound to exhibit at each station a time-table and tariff in one or more vernacular languages. These should be fixed in a conspicuous place where they can be seen and studied before the tickets are purchased. It is believed that this is now generally done, but probably not to the full extent desirable. These vernacular tariffs should be put up in, say, half a dozen different places in every third class waiting shed. The ticket offices should be open for the sale of tickets a considerable time before the departure of trains; this time would naturally vary with the number of passengers to be booked, but should be based on most liberal considerations and regulated by stringent traffic orders. At all large stations where the passengers are numerous, the ticket offices should not only be open for a considerable time before departure of trains, but their number should be increased, so that the present crowding outside ticket windows might be done away with. Means of procuring tickets.

(3). In accordance with General Rule 14, the maximum number that each compartment will carry has to be exhibited both inside and outside in the vernacular language. It appears right that this number should vary at different seasons of the year. Limit of numbers per carriage.

more space being allowed in the hotter months. It is believed that steps in this direction are now taken on some lines, but the practice might be made more general, and perhaps still more space allowed than is customary, particularly in the case of long-distance passengers. Six passengers per lateral compartment would really pay, and we should hear of fewer deaths in trains if this number was the limit in the hot weather.

(4). It is very essential, in common humanity, that passengers should be able to obtain an ample and ready supply of drinking-water, especially in the hot season. As it is inconvenient to allow the native passengers to alight for this purpose at intermediate stations where the stoppage is short, a sufficient staff of water-carriers, both Hindu and Mussalman, should be ready to hand water to the passengers in the carriages. This staff is now generally provided, but in many cases in insufficient numbers to meet the demand for water during the stoppage of the train. Where the train stops a sufficient time at a station, passengers should be able to leave their carriages and supply themselves from stand-pipes on the platforms; this could easily be done if the compartments were not so crowded. The Punjab Northern Railway has provided these stand-pipes on many of their platforms.

(5). The practice as regards the locking of carriage doors differs on the various lines, and this question may well receive consideration. When both doors are locked, which should seldom be necessary, there should be a sufficient staff of ticket examiners to promptly unlock all the doors of the train when it halts for any time at a station, so that the passengers may have time to get out and purchase refreshments or attend to the calls of nature.

(6). The Military Department has specially asked for latrine accommodation in the third class carriages supplied to troop trains. The possibility of this being given, and then how it should be done, might be discussed in connection with the above remarks.

Sind, Punjab, and Delhi Railway.

Most of the arrangements detailed above have been in force on the Sind, Punjab, and Delhi Railway for years, and will be briefly noticed under the respective heads given.

(1). At all our first and second class stations (excepting Mooltan Cantonment), and at many of the third class stations, waiting sheds, halls or rooms are provided, and are open to the station-yards, to which access is obtained at any time. The third class booking offices are also in direct connection with these sheds, so that passengers can obtain their tickets without difficulty, and, as a rule, one hour before the train by which they are proceeding starts.

(2). Time-tables, fares, and goods tariffs are printed in English, Urdu, and Hindi, and are exhibited on the platforms, waiting sheds, outside verandahs, goods sheds, and also supplied gratis to all police thanas, court-houses, dāk bungalows, hotels, &c., as also to the principal traders within a radius of 30 miles of each station. The intermediate and third class fares from each station are posted up at all stations, as also the current price list of sweetmeats and refreshments required by native passengers. This latter information is obtained periodically from the local district authorities.

Ticket offices at first and second class stations are kept always open, and at third and fourth class stations one or two hours before the train starts; or in a press of traffic the time is extended as traffic requirements demand.

When large fairs or religious gatherings, such as the Hardwar, Basakhi, Dewali, Chiragan, occur, ticket offices (somewhat similar to moveable sentry boxes) are scattered about the station-yard for the issue of third class tickets.

Return tickets are also granted, available for one month, to prevent the necessity of re-booking.

(3). Our rule is to carry 10 third class passengers in each lateral compartment in the cold season and 8 in the hot weather.
 Limit of numbers per carriage. This gives every accommodation which can reasonably be expected. The proposed limit to 6 in each compartment is, in my opinion, too low. The number in double-storied carriages and those without seats are also regulated according to the season.

The maximum number of passengers each carriage can carry is painted in the vernacular and English on the side of the carriage; but not the limit for the hot season. This might be done.

(4). At all stations Hindu watermen and Mahomedan bhisties are in regular attendance on all trains. The number is regulated by the traffic of each station. When a
 Supply of water. press of passengers occurs from any cause, extra men are employed to supply third class passengers with water according to requirements.

As our carriages are not locked, passengers can leave the train at any station to proceed to the latrines. No stand-pipes are provided on our platforms. If this was done, it would be a great improvement, and should remove any shadow of complaint that may now exist.

(5). Our carriages are left unlocked on both sides, so that passengers can leave the train at any station; and this they fully
 Locking carriage doors. avail themselves of. But this step is often attended with considerable risk, danger, and sometimes accident.

Hindu and Mahomedan refreshment vendors attend trains at all stations, and walk along the platform to supply passengers with sweetmeats, &c., in the carriages.

Improved intermediate or upper class carriages to those at present in use are now under construction for native gentlemen and ladies.

DAVID ROSS,

Traffic Manager. S., P., and D. Railway.

SIMLA;

15th September 1882.

Remarks by the Delegate for the Eastern Bengal Railway.

(1). The existing arrangements on the Eastern Bengal Railway are understood to provide all that is considered necessary
 Admission to waiting sheds. in this direction.

(2). The requirements of the Railway Act of 1879 are fully complied with on the Eastern Bengal Railway. The time-table
 Means of procuring tickets. and tariff printed in the vernacular of the district are exhibited in convenient places at all stations where they can be seen and studied by the public. Convenient arrangements are also made for the sale of tickets; and at the larger stations on special occasions the number of booking offices is increased in order to avoid crowding.

(3). On the Eastern Bengal Railway the number of passengers permitted to be carried in each compartment, or where there
 Limit of numbers per carriage. are no compartments in each vehicle, is exhibited both outside and inside in the vernacular. But on a short line like the Eastern Bengal Railway it has not been considered necessary to further limit the number permitted to be carried during the hot weather, the space allowed being considered ample for all seasons; and in regard to this it is understood the Government officers concur.

(4). The arrangements for the supply of water *en route* to passengers on the Eastern Bengal Railway has had much atten-
 Supply of water *en route*. tion: and the Railway officers it is believed

have on all occasions readily complied with the wishes of the Government in this respect.

(5). The Orders of Government in respect to locking carriage doors are strictly complied with. Doors are locked on one side only, except when approaching terminal stations where tickets are collected, where it is necessary to lock both sides. At intermediate stations the doors on the platform side are always unlocked; and at stations where the train halts for any time to permit the purchase of refreshments, &c., passengers are, on the stoppage of the train, at once at liberty to get out.

Locking carriage doors.

(6). With regard to the provision of latrine accommodation in third class carriages, it is understood that the matter has had consideration, and that there are objections to the general provision of such accommodation of such a nature as to render it undesirable. The latrine accommodation at all stations on the railway has had much attention. The extent of the accommodation and the habits of the people have been duly considered, and it is believed are amply provided for. Care is devoted to the maintenance of cleanliness and to render the accommodation as little offensive as possible.

The carriage of troops on the Eastern Bengal Railway in large bodies is a rare occurrence; and it is believed that, should the necessity arise, special arrangements of a less objectionable nature could be made to meet the occasion than the provision of latrine accommodation in third class carriages.

Remarks by the Delegate of the Oudh and Rohilkhand Railway.

(1). Waiting sheds are all open to the station-yards; and lower class passengers can obtain shelter at whatever hour of the day or night they may arrive.

Close to some of the larger stations serais have been constructed by municipalities, where individuals and families can be accommodated in comfort during long halts; and this system should be extended.

(2). Time-tables and tariffs in English and two vernacular languages are fixed in the open waiting sheds above referred to.

Ticket windows are opened, and issue commences half an hour or an hour before trains are *due to arrive*.

(3). Every lower class carriage bears inside and outside a painted notice stating the maximum number of passengers which each compartment will carry.

From the 15th April to the 15th October the number of passengers allowed in a lower class compartment is reduced from 10 to 8.

(4). The supply of water to both Hindus and Mahomedans is good and sufficient. In the summer months the number of watermen is increased to meet the increased wants, and at changing stations, say 50 miles apart, ample time is given for passengers to alight and supply their own wants at good wells, &c., provided by the Railway Company.

(5). Doors are locked on one side only, in accordance with the orders of Government; never on both sides. At checking stations the number of ticket examiners and collectors is sufficient to perform their very necessary duties promptly, avoiding undue detentions to passengers.

(6). Latrines have as an experiment been supplied to certain carriages reserved for native females; and the effluvium from these carriages, although well and frequently cleaned, is very offensive, even after short service. Latrines in carriages give rise to many nuisances on the main line of railway, and more particularly on points and crossings, at entrances to stations, &c. Ample time is given every 50 miles for passengers to visit latrines provided at changing stations.

H. F. PAYNE.

- (5). The practice on the Great Indian Peninsula Railway is to lock the doors on one side only. The carriage doors are all fitted with a catch in addition to the door latch and the lock.
- Locking carriage doors.

There are sufficient ticket collectors and examiners and others to open doors at stations; and at stations where trains stop for more than five minutes, the doors are opened and passengers are allowed to alight.

Native refreshments are sold under authorized arrangements at most of the stations on the Great Indian Peninsula Railway.

- (6). Latrines cannot be provided in carriages of any class which have lateral compartments. Latrines are provided in second class carriages which are of the saloon pattern, and these carriages are supplied as much as possible for the conveyance in troop trains of invalids (not in invalid carriages) and women and children.
- Latrine accommodation in 3rd class carriages supplied in troop trains.

But the Great Indian Peninsula Railway have not enough second class carriages to provide them for all troops, and 3rd class have therefore been accepted by Government rather than incur the expense of increasing the number of second class carriages. The Great Indian Peninsula Railway Company put latrines in a considerable number of 3rd class carriages, but they were found to be so offensive and objectionable from the way in which they were used, or rather misused, that they became a complete nuisance, besides being a source of danger to health. It has therefore been determined, with the concurrence of the Consulting Engineer to Government, to abandon them, and to adopt almost, if not quite, exclusively carriages with lateral compartments. Troop trains halt at frequent intervals to allow troops to alight; and as practically invalids and women and children are conveyed in carriages which are fitted with latrines, and as latrines are provided at all stations for the public, it is thought that all reasonable requirements are met on that Railway, both for troops and the public.

East Indian Railway.

- (1). Waiting sheds are always open, except the entrance to the platform, and we are gradually extending the sheds both in number and dimensions.
- Admission to waiting sheds.
- (2). We are arranging to book the passengers in the sheds wherever practicable, and we open the booking windows so as to enable all passengers to obtain their tickets before the trains arrive.
- Means of procuring tickets.
- (3). Our carriages have been largely increased in width since the present limit per compartment was fixed, and I do not think there is any crowding which would render a reduced limit in hot weather needful. I will, however, look specially into the question and report to our Agent.
- Limit of numbers per carriage.

We punish severely any of our staff if a case of overcrowding is detected. I have frequently counted the numbers, but have never, during, say, the last four or five years, found more than ten in a compartment.

- (4). This is a point on which we think we excel. We put on extra men at all stations during the hot months of the year.
- Supply of water.

- (5). Doors are *never* locked on both sides of our carriages, and we increase the staff until we arrive at the release of all the passengers in the train in 3 to 3½ minutes.
- Locking carriage doors.

- (6). We have latrines at every station. In our new time-table we have provided halts for passengers, and if we find these halts to be insufficient, we will increase them in
- Latrine accommodation.

But to provide latrine accommodation in the trains, we should create a nuisance in the trains themselves, as no amount of water and disinfectants would prevent bad smells, whilst the permanent-way would be so far affected as to involve serious consequences as regards labor for keeping the permanent-way in order.

URBAN BROUGHTON.

Bombay, Baroda, and Central India Railway.

The Agent, Bombay, Baroda, and Central India Railway Company, read the following Extract from the Traffic Manager's Memorandum, dated Bombay, 21st August 1882, to the Agent:—

ARRANGEMENTS FOR COMFORT OF LOWER CLASS PASSENGERS.

This is an important matter and deserves attention.

We are very particular to have booking offices opened early, so that passengers may obtain their tickets with comfort, leisurely examine their change and avoid being hustled.

At our Bombay stations we open the booking offices at about 6 A. M., and don't close them until about 10 P. M., and passengers at any time within these hours can obtain tickets and gain access to the platforms. Our tickets have their fares printed on them in English and the vernacular.

We try to give passengers ample accommodation in the carriages, and generally succeed in doing so. Sometimes an unexpected number present themselves, but our carriages are rarely crowded.

We have plenty of water supplies on our platforms.

We only lock the carriage doors on the side farthest from the platform.

Enclosure No. 2 to Railway Circular No. 2 of 1885.

Circular No. III Railway, dated 1st March 1883.

From—The Government of India, P. W. Department,

To—The Governments of Madras, Bombay, Bengal, and the North-Western Provinces and Oudh; the Chief Commissioners of the Central Provinces and British Burma; the Resident at Hyderabad; the Agent to the Governor General for Central India; the Director General of Railways; and the Consulting Engineers to the Government of India for Guaranteed Railways.

With reference to the general arrangements for the comfort and convenience of lower class passengers travelling by rail, considered at the Railway Conference held at Simla in September 1882, I am directed to state that remarks by the Native Press regarding the absence of reserved accommodation for native females have attracted the attention of His Excellency the Governor General in Council, and on enquiry being made it appears that reserved accommodation is provided on the principal Railways in India as shown in the accompanying abstract statement.

2. Arrangements are now being made on several of the State Railways for the provision of an improved pattern of intermediate class carriages. These carriages will have retiring accommodation and reserved compartments, and will be available at a moderate rate for natives desirous of securing seclusion for their families; but His Excellency the Governor General in Council would be glad if somewhat similar arrangements could be generally provided.

3. The Government of India also desires that the attention of all Railway Administrations may be drawn to the desirability of reducing the maximum number of travellers in each compartment, especially during the hot weather, and generally of taking all reasonable steps to increase the comfort and convenience of native travellers.

Copy forwarded to the Government of the Punjab, the Chief Commissioner of Assam, and the Agents to the Governor General for Rajputana and Biluchistan.

Statement showing the measures adopted on the principal Railways in India towards providing reserved accommodation for native females.

Name of Railway.	Particulars.
Punjab Northern	One 3rd class carriage on all passenger trains is always reserved exclusively for native females. Some intermediate class carriages have recently been constructed in which upper class natives can travel with their families, canvas purdahs being provided which can be rolled up or lowered at pleasure.
Indus Valley and Kandahar.	A third class carriage is reserved on the passenger trains for the exclusive use of native female travellers.
Rajputana-Malwa	Third class carriages or compartments are specially reserved for native females on all passenger trains.
Sind, Punjab, and Delhi	Reserved accommodation for native females to the extent of one third class carriage is provided on all passenger trains.
Oudh and Rohilkhand	An entire lower class carriage is reserved for native females on all through trains, and a native female ticket collector is provided at checking and changing stations.
East Indian	A special third class compartment is reserved for native female travellers on all passenger trains carrying third class passengers.
Eastern Bengal	A third class compartment is reserved for native female travellers in each of the passenger trains.
Great Indian Peninsula	Third and fourth class carriages are reserved for native female passengers on the main line and local passenger trains.
Bombay, Baroda, and Central India.	Third class female passengers travel in carriages in the rear of the train next to the guard's brake and male passengers in the front of the train.
Bhavnagar-Gondal	On each train certain third class carriages are set apart for native female travellers.
Madras and South Indian	Compartments of third class carriages are reserved for female travellers in all passenger trains. These compartments are available for all female passengers, but practically they are used only by natives.

Enclosure No. 3 to Railway Circular No. 2 of 1885.

No. 799 R. T., dated 17th July 1883.

From—The Government of India, P. W. Dept.,

To—The Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh; the Chief Commissioners of the Central Provinces and British Burma; the Resident at Hyderabad; the Agents to the Governor General for Rajputana and Central India; the Director General of Railways; and the Consulting Engineers to the Government of India for Guaranteed Railways.

With reference to Public Works Department Circular No. III Railway, dated 1st March 1883, indicating the measures which the Government of India considered desirable in view to increasing the comfort and convenience of native travellers on Indian Railways, I am directed to request that a report may be submitted at the end of this year showing what has been done towards meeting the wishes of the Government of India in this respect.

Enclosure No. 4 to Railway Circular No. 2 of 1885.

No. 870 R. T., dated 7th August 1883.

From—The Government of India, P. W. Dept.,

To—The Governments of Madras, Bombay, Bengal, and the North-Western Provinces and Oudh; the Chief Commissioners of the Central Provinces and British Burma; the Residents at Hyderabad and Mysore; the Agents to the Governor General for Rajputana and Central India; the Director General of Railways; and the Consulting Engineers to the Government of India for Guaranteed Railways.

end of the year showing what steps have been taken in the direction indicated in Public Works Department Circular No. III Railway, dated 1st March 1883, for the promotion of the comfort and convenience of native travellers on Indian Railways, I am directed to offer the following farther suggestions and remarks, and to request that the points referred to may be specially noticed when the report in question is submitted. It should be stated in this report what is the practice followed in each case, and how far the remedies suggested are considered practicable and desirable :—

I.—At present, as a rule, only those natives who have railway tickets are admitted on to the platform, and it has been represented that considerable inconvenience is caused by the custom generally in force, which prevents native gentlemen from being present on the platform to meet a friend or relative coming by the train, or to accompany him to it on his departure. The Government of India fully recognises the necessity of preventing the undue crowding of railway platforms, but it is thought that the grievance complained of might be, to a great extent, remedied, without inconvenience to railway working by the adoption at the principal stations of a system, lately introduced by the Sind, Punjab, and Delhi Railway Company at Lahore, of issuing platform tickets at a small charge, which might be fixed experimentally at one or two pice for each such ticket.

II.—It has been brought to the notice of the Government of India that notwithstanding the provisions of Rule 14 of the General Rules for Indian Railways, which prescribes the exhibition, both inside and outside of lower class carriages, of the maximum number of passengers that may be carried in each compartment, undue crowding of the compartments of such carriages frequently occurs; and it should be stated what are the limits in force during the different seasons for each class of accommodation, the minimum space per passenger being given. It should further be impressed on the station staff that the maximum numbers laid down by the Railway Administration are not to be exceeded.

III.—The Government of India has already indicated the measures considered desirable with a view to making the intermediate class accommodation more popular among the better class of natives, and in this connection I am to suggest for consideration that the tickets for this class might, at the principal stations, be sold at the same window as those for the second class, so that the intermediate class passengers may avoid the crowding and discomfort which necessarily occurs at the third class booking office.

IV.—The Government of India would be glad to hear the results of any experiments which have been made in the provision of latrine accommodation in third class carriages. It is true that latrines are provided at each station, but native passengers, not knowing how long the train will stop at a station, are often afraid to leave the carriage lest they should lose their train. I am to suggest that it would, to a certain extent, meet the difficulty if the duration of the halt at each station were called out, with the name of the station, on the arrival of the train.

V.—It appears that the notice required for the provision of reserved accommodation varies from 6 to 48 hours on the different lines. I am to enquire whether it would not be possible to reduce the time of such notice to, say, six hours at some of the larger stations where spare stock is kept, and 24 hours at other stations.

Enclosure No. 5 to Railway Circular No. 2 of 1885.

Note reviewing the reports regarding the provision of latrines in lower class carriages on Indian Railways.

In connection with the frequent complaints in the Native Press of the crowding and inconvenience suffered by native passengers on Indian Railways, the Government of India recognised the necessity of some improvement in

this respect, and desired that the subject of the treatment of native passengers of the lower classes be ventilated at the Railway Conference of September 1882. (See clause 78.)

2. In the notes recorded at the Conference by the several Railway Delegates—

The Oudh and Rohilkhand Railway said that latrines had, as an experiment, been supplied to certain carriages reserved for native females; and it was found that the effluvia from these carriages, although well and frequently cleaned, was very offensive. Latrines in carriages, it was said, give rise to nuisances, more particularly on points and crossings, at entrances to stations, &c.

The Great Indian Peninsula Railway had tried the experiment, but the carriages were found to become so offensive and objectionable as to be a complete nuisance and a source of danger to health. The practice was, with the concurrence of the Consulting Engineer to Government, abandoned.

The East Indian Railway objected to the measure as one which would create a nuisance in the trains themselves, as no amount of water and disinfectants would prevent bad smells; whilst the permanent-way would be so far affected, as to involve serious consequences regarding labour for keeping it in order.

The Eastern Bengal Railway and *the Madras Railway* objected to the measure as undesirable, adding that the experiment had been tried elsewhere with unsatisfactory results.

3. With reference to clause 78 of the Conference, and further remarks by the Native Press regarding the treatment of native passengers on Indian Railways, and with a view to eventually issuing a Resolution which should contain a summary of the measures adopted for promoting the convenience of native passengers, the following circular and letters were issued by the Government of India:—

Public Works Department Circular No. III Railway, dated 1st March 1883.

Public Works Department No. 799R.T., dated 17th July 1883.

Ditto ditto No. 870R.T., dated 7th August 1883.

Ditto ditto No. 1400R.T., dated 27th December 1883.

Ditto ditto No. 38R.T., dated 10th January 1884.

4. In its letter No. 870R.T. of the 7th August 1883, clause IV, the Government of India said it would be glad to hear the results of any experiments which have been made in the provision of latrine accommodation in third class carriages; and added that, although it is true that latrines are provided at each station, native passengers, not knowing how long the train will stop at a station, are often afraid to leave the carriage lest they should lose their train.

And in the two subsequent letters, quoted above, it was asked—

(1).—What proportion of each class of passenger vehicles on each line is fitted with retiring accommodation.

(2).—What is the exact nature of the retiring accommodation provided in each class of passenger vehicles on each line.

5. The replies from the several Railway Administrations on the subject of the treatment of third class passengers have been received, and the statement at the end of this Note contains their views regarding the provision of latrines in lower class carriages.

It will be seen that all the principal Railway Administrations are very

6. The only lines on which experiments have been made in this direction, on any large scale, appear to be the Great Indian Peninsula, the Bombay, Baroda, and Central India, the Sind, Punjab, and Delhi, the Oudh and Rohilkhand, the Indus Valley, the Rajputana-Malwa, the Northern Bengal, the Nagpore and Chhattisgarh, and II. II. the Nizam's Railway.

7. *The Great Indian Peninsula Railway* reports that after considerable trial it has been found that it is impossible to keep a third class carriage with latrines free from noisome effluvia. From the sketch plans submitted, it appears that out of a total number of 453 third class carriages, 158 two-compartment carriages have two closed closets in the centre of the carriage, each 4' 2" \times 1' 9," and fitted—one with a commode, and one with a cast-iron plate flooring with a hole in it; and 20 two-compartment carriages have two closed closets, each 2' 3" \times 2' 6," both fitted with a cast-iron flooring with a hole in it.

8. In connection with the question of latrines in the third class carriages to be built by the East Indian Railway Company for the through service between Calcutta and Bombay, the Bombay Government, in its letter No. 1076, dated 18th June 1884, quoted the following remarks by the Agent, Great Indian Peninsula Railway:—

"Urinals in third class carriages have been tried on this railway for some years, and every exertion was made to keep them clean and free from smell by disinfectants; but in this we so signally failed, that the carriages became an intolerable nuisance,—so much so, that first and second class passengers have objected to travel with these objectionable vehicles in front of them; when standing at stations, the unwholesome smell from these offensive compartments permeates the entire premises.

"As far back as 1879, in Minutes of Meeting No. 21, it was recorded that in all future renewals of third class carriages, the carriages should be divided into compartments transversely, and be built without urinals; and, now that the fourth class has been abolished, to introduce urinals into the third class carriages would establish a nuisance to the travelling public and the Railway staff, difficult to characterize in sufficiently strong terms, and which would loudly call for removal again at great expense.

"It would also involve going back to the plan of building the lower class carriages with seats placed lengthways, and the two doors on either side, the risk of overcrowding, difficulties of egress and ingress, and loss of time at stations, that have been complained of for years past, and which we are now making every effort to amend.

"Furthermore, from a sanitary point of view, latrines in third class carriages must be injurious; the better course, I am confident, is to provide latrines easy of access at all large stations, and allow the public sufficient time to alight for their wants."

And again, "the Agent's chief objection to providing retiring accommodation in this class of carriage is because it will create an almost unbearable nuisance to the travelling public, and lead to grave and just complaint from passengers.

"I am to add that this is no theoretical idea, but is the result of experience founded upon a considerable trial of the system."

9. The Bombay Government then, in the same letter, quotes the following remarks by the Consulting Engineer for Railways, Bombay:—

"I do not know whether the Agent, East Indian Railway, differs in opinion from the Agent, Great Indian Peninsula Railway, as to the possibility

* Refers to the through service carriage stock.

of designing a latrine for the use of native passengers in the proposed* third class carriages, which will not be objectionable on sanitary or other grounds. I have seen various plans tried, and all have failed. It is difficult to keep a closet in a first class carriage, occupied by two or three European travellers, sweet and clean during a long

journey, and the state of one used by 30 or 40 native passengers may be imagined. A further drawback to the proposal is the pollution of the road itself. It is, in my opinion, a better plan to supply retiring accommodation at stations, and allow sufficient time for native passengers to alight at intervals of two or three hours."

10. The Bombay Government then remarks:—

"I am to say that the Governor in Council considers that there is great force in these remarks, and that he hopes that on re-consideration the Government of India will not insist on the provision of retiring accommodation in the carriages in question" (third class carriages for the through service between Bombay and Calcutta).

11. In connection, also, with the through service, the Consulting Engineer, Calcutta, with his No. 2459 of the 28th June 1884, submitted correspondence on the same subject, in which the Traffic and Carriage and Wagon Superintendents, as well as the Agent, East Indian Railway Company, recorded their respective opinions against the proposal to provide latrines in the third class carriages; and it was said that carriages so provided would become an intolerable nuisance, especially when standing at stations.

12. The Agent, East Indian Railway, further sent up a copy of a letter from the Company's Consulting Physician, who said that, after carefully reading the correspondence, and examining the plan of the proposed third class carriages, he was unable to imagine the idea of latrine accommodation being carried out in this class of carriage without the vehicle becoming a source of public nuisance to the train to which it may be attached; and added that, with proper arrangement of stoppages, and at halting stations, no inconvenience need be felt by persons of the habits of third class native passengers.

13. The Consulting Engineer agreed generally in the views above expressed, and thought a train should be specially halted in the early morning and in the evening to enable native passengers to relieve themselves.

14. In the *Bombay, Baroda, and Central India Railway* third class carriages there are no closed latrines, except in 12 ambulance carriages. All the third class carriages on this line have what is termed the "open seat arrangement," i.e., part of one of the seats is made with a flap to lift up and form a commode, a hole being made through the floor underneath.

15. The Agent is said to be averse to making any change in the present arrangement, as the provision of enclosed latrines would involve considerable expenditure, and would lessen the carrying capacity of the carriages by 6 or 7 per cent.; and he thinks they would give less satisfaction to passengers than the present open seat arrangement.

16. With reference to the "open seat arrangement," the Bombay Government states, in its letter No. 1440 of 8th August 1884, that, as nothing but extreme necessity would induce an adult passenger to make use of the open seat in public, they are seldom made use of, and for this reason they are not so apt to become offensive as the closed latrines, which passengers have recourse to, whenever provided, to save themselves the trouble of getting out at stations.

17. With the solitary exception of the *Nagpore and Chhattisgarh Railway*, the other lines on which the experiment has been tried seem to object to the provision of latrines in third class carriages.

18. On the *Sind, Punjab, and Delhi Railway*, all ambulance carriage have a closed closet at one end, to which all passengers have access. The floor is leaded, and has a hole in it. Thirty third class carriages are, besides, fitte

with the open seat arrangement, with holes in the floor and shoots. It is said that the majority of native passengers on this line object to the provision of latrines in the carriages.

19. On the *Oudh and Rohilkhand and Indus Valley Railways*, the experiment has been confined to the carriages reserved for native females, in which an enclosed closet, with a shoot in the floor, is provided; but the results have not been satisfactory owing to the difficulty of keeping the latrines clean and free from odour.

20. The Consulting Engineer, Lucknow, suggests fitting up a portion of a brake or luggage van specially for this purpose, in two compartments, for men and women respectively, with water tank on top and traps inside; each compartment in charge of a person of proper caste, whose sole business would be to keep it clean and inoffensive. Passengers to be allowed to go into these at any station, and remain there till arrival at the next.

21. On the *Rajputana-Malwa Railway*, the retiring accommodation, in intermediate and third class carriages, consists of a small enclosed closet about two feet square, with a hole in the centre of the floor. The chief objection of the Manager to the general provision of such accommodation seems to be the difficulty of providing latrines in the four compartment side door vehicles, which are said to be more appreciated by the public, as being easier of access and exit, and more private, than the end opening saloon carriages.

22. On the *Northern Bengal Railway*, the open seat arrangement is fitted to 18 per cent. of the third class stock, but the carriages so fitted are reserved for the use of native females. No opinion is given for or against.

23. On the *Nagpore and Chhattisgarh Railway*, all third class carriages are provided with latrines, which are said to be appreciated by the natives, and to be a great convenience, more especially for those travelling long distances with families. On this line considerable attention appears to have been given to the subject, and the results seem to be satisfactory; but it must be remembered that the third class carriages on this railway are not the lowest class: they correspond with the intermediate class on other lines, and are not, therefore, used by the bulk of the passengers.

24. In these carriages the floor of the closet is covered with zinc, and the hole in the floor is lined with the same metal. Two brackets are provided, on either side of the hole, to enable the passenger to squat clear of the floor, and the brackets, being hung clear of the floor, do not obstruct cleaning operations.

Cleanliness is secured by an outside receiver, down which buckets of water are emptied at each important station; the receiver narrows at the throat, and a complete sluicing of the sides of the pan, which is open below, is said to be effected. In practice two buckets of water are found sufficient to thoroughly clean it.

25. To sum up. The chief arguments brought forward against the provision of latrines in the lower class carriages are—

- (1).—The difficulty of keeping the latrines in such carriages clean and free from offensive smells, which would be most noticeable when the train is standing still.
- (2).—The difficulty of preventing natives from using the latrines when the train is standing at a platform, or arriving at, or leaving, a station.
- (3).—The pollution of the road itself which would result, and which would be more serious at, and in the vicinity of, stations.
- (4).—The objections from a sanitary point of view, and the annoyance to the travelling public from the above causes.

- (5).—The expense, and reduction of carrying capacity involved.
- (6).—The difficulty of providing latrines in carriages divided into four or five transverse compartments with side doors; this arrangement having proved more convenient than two-compartment carriages or saloons with end doors, owing to the greater facilities afforded by the greater number of doors for ingress, egress, checking of tickets, &c.
- (7).—The difficulty which would arise on many lines of obtaining a sufficient supply of water for a thorough and frequent sluicing of the latrines.

26. On the other hand, there is the undoubted inconvenience to which native passengers are often subjected from the want of latrines in the carriages, and this is, of course, more especially felt in the case of women and children, invalids and old men, on long journeys.

27. It is true that latrines are provided at most stations; but native passengers do not know how long the train will stop, and often dare not leave the carriage for fear of being left behind.

28. The Railway Administration does not always regulate the stoppages of a train so as best to suit the wants of the native passengers in this respect; and, where it does do so, it is very difficult to induce natives who are not used to railway travelling to leave their carriages for the purposes of nature.

29. Many accidents have undoubtedly occurred, wherein passengers have fallen out of a train when attempting, in the absence of a latrine, to relieve themselves through an open door or out of a window.

5th December 1881.

Enclosure No. 6 to Railway Circular No. 2 of 1885.

*Abstract of Reports showing the measures adopted for promoting the comfort
and convenience of Native passengers on Indian Railways.*

Abstract of Reports showing the measures adopted for promoting the comfort

	(1)	(2)	(3)	(4)	(5)
Railways.	Introduction of improved pattern of intermediate class carriages, with reclining accommodation, and provision of reserved compartments at moderate rates. (P. W. D. Circular No. 131 By., dated 1st March 1883.)	Reserved accommodation for Native females. (P. W. D. Circular No. 111 By., dated 1st March 1883.)	Adoption of a system of Platform tickets. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Exhibition in the lower class carriages of the maximum number that may be carried in each compartment. Maximum number not to be exceeded. Maximum number carried in each class of accommodation during the different seasons, and the minimum space allowed per passenger. (P. W. D. Circular No. 111 By., dated 1st March 1883, and letter No. 870 R. T., dated 7th August 1883.)	Sale of intermediate class tickets at the window used for sale of 2nd class tickets at the principal stations (P. W. D. No. 870 R. T., dated 7th August 1883.)
EAST INDIAN	There are now 17 carriages with upper bunks, each compartment accommodating eight sleeping passengers. These carriages are said to be very comfortable.	As stated in the enclosure to the above Circular, a special 3rd class compartment is reserved for Native female travellers on all passenger trains carrying 3rd class passengers.	At Delhi and Mirzapur platforms, tickets are issued experimentally at one anna each. At other stations respectable Natives are admitted free to the platforms when their presence does not interfere with the efficient working of traffic.	The Traffic Manager is in communication with the Carriage Superintendent on the subject of exhibiting in the lower class carriages the maximum number to be carried in each compartment. The staff is very careful in seeing that the number allotted to each compartment is not exceeded. The maximum number carried in each compartment is 10 throughout the year, and the minimum seat space allowed per passenger is 20 inches.	No objection. The matter will receive attention.
MADRAS	There is no intermediate class carriage. It is thought that this class at a higher fare would not be patronised.	3rd class compartments are reserved on all passenger trains. Irrespective of this, a third class compartment to carry 10 can be reserved on payment of 7 fares.	Respectable persons are allowed on arrival platform, and on departure platform, if accompanying ticket holders. Platform tickets not issued, nor recommended by the Agent and Manager.	Each compartment to carry 10 passengers, with sitting space of 20 inches. No distinction is made between the hot and cold seasons, and there is said to be no necessity for this.	No intermediate class carriage.
SOUTH INDIAN	No intermediate class carriage. The 2nd class fare being only 1 pie per mile, and it having been proposed to provide retiring places in 2nd class carriages, together with reserved compartments for female passengers, the introduction of an intermediate class accommodation is not considered necessary.	Compartments of 3rd class carriages are reserved on all passenger trains.	Respectable persons are admitted free on to the platform. Issue of platform tickets not recommended by the Agent.	The Board of Directors has ordered the maximum of 10 passengers to be reduced to 8. The sitting space for each thus becomes 18½ inches. No distinction is made between the hot and cold seasons.	No intermediate class carriages.
GREAT INDIAN PENINSULA	There is no intermediate class, neither is it proposed to introduce it.	3rd and 4th* class carriages are reserved for native female passengers on the main line and local passenger trains.	Admission to the platforms is granted free of charge at all stations so far as it can be done without inconvenience to the working of trains.	The maximum number to be carried is painted on all third class carriages, and the staff warned against exceeding that number. But the Agent states that overcrowding will occasionally take place, and that at road-side stations a passenger may sometimes be put into a carriage in excess of the regulation number in preference to leaving him behind, but it is against rule to do so. The maximum number allowed in each compartment varies from 10 to 38 in third class carriages according to the size of the compartment. The number carried in the one compartment of the 4th class carriage is 48. For details, please see Bombay Government Resolution No. 232 of 6th February 1882. The sitting space allowed per passenger is :— 3rd class 19" 4th „ 16". The maximum number carried in each compartment is the same throughout the year.	There is no intermediate class on this line.

and convenience of Native Passengers on Indian Railways.

(6)	(7)	(8)	(9)																												
Results of experiments made in the provision of latrine accommodation in 3rd class carriages. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Suggestion to call out at each station the duration of the halt of a train, together with the name of the station. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Whether the time of notice for reserved accommodation cannot be reduced to 6 hours at large stations where spare stock is kept, and 24 hours at others. (P. W. D. No. 870 R. T., dated 7th August 1883.)	What proportion of each class of passenger vehicles is fitted with retiring accommodation. (P. W. D. No. 1100 R. T., dated 27th December 1883.) And what is the exact nature of retiring accommodation provided. (P. W. D. No. 38 R. T., dated 10th January 1884.)																												
Objects to the measure on account of the disgusting results to both the carriages and the permanent-way. It is added that halts are provided at frequent intervals to enable passengers to visit latrines at stations, and that, if necessary, the number and lengths of halts may be increased. Please see remarks by the Magistrate of Allahabad, pointing out the necessity for retiring accommodation in 3rd class carriages.	The name of the station is called out on the arrival of a train. At stations where a train is booked to stop more than 5 minutes, the doors of all carriages are thrown open, and the occupants are informed how long the train will stop.	When traffic is slack, reserved accommodation is allowed on less than 48 hours' notice. But the Company do not agree to insert in their tariff any clause, reducing this 48 hours' notice, as by it they are, on occasions, enabled to provide accommodation which it would not otherwise be possible to procure from other stations.	No retiring accommodation is provided in intermediate and 3rd class carriages. All 1st and 2nd class carriages running on through trains are provided with retiring accommodation of a uniform pattern: in the former for every 4, in the latter for every 5 passengers, a commode, wash-basin and looking-glass being provided.																												
No latrine accommodation in 3rd class carriages. The journey made on this line being short, no such provision is considered necessary. If provided, it would reduce the carrying capacity by 25 per cent.	Names of stations and duration of halts are called out. If the duration of a halt is over 5 minutes, the doors of carriages are thrown open.	Reserved accommodation is provided whenever possible without reference to time. It is, however, added that it might happen, where a carriage has to be specially sent, that reserved accommodation could not be provided in less than 48 hours.	In 1st class carriages, a lavatory and closet, and in some a shower-bath as well. In 2nd class carriages, a closet for every two compartments. 41 per cent. of the 1st class carriage stock, and 26 1/2 per cent. of the 2nd class stock, is provided with latrine accommodation. The 3rd class carriages are not fitted with latrines.																												
The 3rd class carriages are not provided with latrine accommodation.	This is done ...	24 hours' notice is required at present, but the Board of Directors consider that it might well be reduced to 12 hours. The carriage, it is said, must be reserved from the starting station, as trains frequently run with maximum loads, and an extra carriage cannot be put on at a road-side station.	In 30 1st class carriages, lavatories and closets have been provided, and it is intended to supply these to the remaining 15 1st class carriages. There is no retiring accommodation in the 2nd class carriages, but application has been made and sanction given to fit them up in a similar manner to the 1st class. No latrines provided in 3rd class carriages.																												
It is not intended to provide latrine accommodation in 3rd class carriages, as it has been found, after a considerable trial, that it is impossible to keep the carriage free from noxious effluvia. The orders are that every facility should be afforded to passengers to leave the carriages, and the duration of halts announced at stations.	Duration of halts is called out at stations with the station name.	The time of notice required is 6 hours at Bombay or Hyderabad, and 24 hours at other stations; but accommodation may usually be reserved on ordinary trains without special notice.	A tracing is furnished by the Agent, showing the nature of the retiring accommodation provided in the carriages. The following table exhibits the total number of carriages of each class and the number fitted with retiring accommodation :-																												
			<table><tr><th></th><th>Total number.</th><th>Number fitted with retiring accommodation.</th><th>Description of accommodation as shown in the tracing referred to.</th></tr><tr><td>First class</td><td>83</td><td>76</td><td>A</td></tr><tr><td>Second "</td><td>73</td><td>70</td><td>A</td></tr><tr><td>Composite</td><td>159</td><td>50</td><td>A</td></tr><tr><td></td><td></td><td>70</td><td>B</td></tr><tr><td>Third class</td><td>453</td><td>158</td><td>C</td></tr><tr><td></td><td></td><td>20</td><td>D</td></tr></table>		Total number.	Number fitted with retiring accommodation.	Description of accommodation as shown in the tracing referred to.	First class	83	76	A	Second "	73	70	A	Composite	159	50	A			70	B	Third class	453	158	C			20	D
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		70	B																												
Third class	453	158	C																												
		20	D																												
			In addition to the above, there are 20 Composite Post Office and 2nd class carriages, in which there is no retiring accommodation to the 2nd class compartments.																												

Abstract of Reports showing the measures adopted for promoting the comfort

	(1)	(2)	(3)	(4)	(5)																							
Railways.	Introduction of improved pattern of intermediate class carriages, with retiring accommodation, and provision of reserved compartments at moderate rates. (P. W. D. Circular No. 111 Rly., dated 1st March 1883.)	Reserved accommodation for Native females. (P. W. D. Circular No. 111 Rly., dated 1st March 1883.)	Adoption of a system of Platform tickets. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Exhibition in the lower class carriages of the maximum number that may be carried in each compartment. Maximum number not to be exceeded. Maximum number carried in each class of accommodation during the different seasons, and the minimum space allowed per passenger. (P. W. D. Circular No. 111 Rly., dated 1st March 1883, and letter No. 870 R. T., dated 7th August 1883.)	Sale of intermediate class tickets at the window need for sale of 2nd class tickets at the principal stations (P. W. D. No. 870 R. T., dated 7th August 1883.)																							
BOMBAY, BARODA AND CENTRAL INDIA.	There are no intermediate class carriages, and the Company is not disposed to have more than three classes, as it would lead to much light running and to increased working expenses.	Third class female passengers travel in carriages in the rear of the train next to the Guard's brake, and male passengers in the front of the train.	Platform tickets introduced since 1st November 1883. The system is said to be working well in all respects.	The compartments are said to carry 12 passengers each. Ample accommodation, it is said, is given during the hot months, but the space allowed is not specified. There is no objection in the exhibition in the low class carriages, both inside and outside, of the maximum number to be carried therein.	No intermediate class carriages.																							
EASTERN BENGAL.	There were no intermediate class carriages on this Railway; but the 3rd class carriages correspond with the intermediate class carriages on other railways, and have been called intermediate class since the line has been under State management, the old 4th class carriages being now styled 3rd class.	At least one third class compartment is reserved on each train for native females. Subject to a minimum charge of Rs. 5 a first class reserved compartment may be taken by payment of one additional fare above the fare of each person travelling in the compartment. 2nd, 3rd and 4th class reserved compartments may be obtained by payment of one higher class fare above the number of persons travelling in the compartment.	The question of issuing platform tickets is said to have been fully considered. Such restriction is not considered necessary at present.	Each compartment of a 3rd class carriage is intended to carry 12 passengers, and some of the 4th class carriages 60, and others 80 passengers. The minimum floor space allowed per passenger in the different types of 3rd class carriage is 3'7½ and 4'12 square feet, and that in the 4th class carriage, 2'8½, 3'08 and 3'13 square feet according to size. All the 4th class carriages are being provided with seats and should not, the Consulting Engineer states, hold more than 60 passengers. The maximum number of passengers carried during all seasons of the year is the same. No overcrowding is permitted.	Third or intermediate class tickets are issued at the windows for 1st and 2nd class passengers wherever the accommodation provided in the booking office admits of this being done.																							
PIND. PUNJAB AND DELHI.	There are 22 upper, or intermediate, class carriages (which allows one upon every train), the large compartments of which (two per carriage) are provided with a retiring room. The ladies' compartment is fitted with opaque glass and jalousie windows.	Every train conveying passengers, excepting the Sher Shah Local, has a 3rd class carriage reserved for native females.	A system of platform tickets at 1 pice each has been in force at the Lahore station since July 1883, but the Agent states that several complaints have been received, and that he would be the first to suggest its withdrawal, if the limited space on the platforms did not justify the imposition of some restriction upon a class of people, who make the station a place of lounge, or visit it out of idle curiosity. The Europeans are said to object to the system as they never carry the requisite pice with them to pay for ticket.	Overcrowding is not permitted. The maximum number carried and the minimum space allowed per passenger during the hot and cold seasons in 3rd class carriages are as follows:— <table><tr><th rowspan="2">PER PASSENGER.</th><th colspan="2">NO. OF PASSENGERS.</th></tr><tr><th>Cold season.</th><th>Hot season.</th></tr><tr><td>son.</td><td>100</td><td>80</td></tr><tr><td></td><td>80</td><td>70</td></tr><tr><td></td><td>60</td><td>46</td></tr><tr><td></td><td>50</td><td>40</td></tr><tr><td></td><td>38</td><td>32</td></tr><tr><td></td><td>36</td><td>40</td></tr></table>	PER PASSENGER.	NO. OF PASSENGERS.		Cold season.	Hot season.	son.	100	80		80	70		60	46		50	40		38	32		36	40	This is done.
PER PASSENGER.	NO. OF PASSENGERS.																											
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and convenience of Native passengers on Indian Railways—continued.

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Results of experiments made in the provision of latrine accommodation in 3rd class carriages. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Suggestion to call out at each station the duration of the halt of a train, together with the name of the station. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Whether the time of notice for reserved accommodation cannot be reduced to 6 hours at large stations where spare stock is kept, and 24 hours at others. (P. W. D. No. 870 R. T., dated 7th August 1883.)	What proportion of each class of passenger vehicles is fitted with retiring accommodation. (P. W. D. No. 1400 R. T., dated 27th December 1883.) And what is the exact nature of retiring accommodation provided. (P. W. D. No. 34 R. T., dated 10th January 1884.)																																
Please see column 9 ... The Agent states that he has no further reports to make at present, as no experiments have been, or are being, tried in 3rd class carriages.	This is done ...	Reserved accommodation may be provided in many cases on five minutes' notice, but 12 hours' notice or thereabouts is considered necessary in some.	The following stock is provided with retiring accommodation :— <table><thead><tr><th></th><th>Total number constructed.</th><th>Total number provided with latrine accommodation.</th><th>Percentage of vehicles with retiring accommodation in total number constructed.</th></tr></thead><tbody><tr><td>First class and saloon carriages ...</td><td>23</td><td>17</td><td>74</td></tr><tr><td>Composite carriages ...</td><td>18</td><td>18</td><td>100</td></tr><tr><td>Second class ...</td><td>41</td><td>20</td><td>49</td></tr><tr><td>Third class, single story ...</td><td>187</td><td>187</td><td>100</td></tr><tr><td> " double " ...</td><td>46</td><td>46</td><td>100</td></tr><tr><td> " mail vans ...</td><td>7</td><td>7</td><td>100</td></tr><tr><td>Overland mail vans ...</td><td>3</td><td>3</td><td>100</td></tr></tbody></table> With the exception of 12 ambulance carriages which have closed closets, all the 3rd class carriages have openings in the seats as animals. The Agent states that a small closed latrine might be provided at the cost of space of about three or four seats in the saloon pattern of 3rd class carriages, and that if this is desired by Government, he will submit an estimate of the cost of doing the same. To do so, will reduce the carrying capacity of 3rd class stock by about 6 per cent., and may involve an addition thereto. Every 3rd class compartment carriage has one opening seat, which is said to be open to objection, though useful in emergency. The greater part of the 1st and 2nd class carriages are fitted with retiring accommodation, consisting of a bath-room, measuring 4' 3½" x 4' 2", with necessary fittings, attached to each half carriage. Ten 1st class carriages out of a total stock of 17, 4 composite carriages out of a total stock of 21, and six 2nd class carriages out of a total stock of 8, are thus fitted. Of the intermediate or third class stock, of which there are 46 vehicles, 5 carriages have two compartments at the ends partitioned off from the rest of the carriage, and in the seats of these compartments a latrine is fitted. In addition to these, the 5 postal vehicles have an intermediate compartment at each end similarly fitted with a latrine in the seat of the compartment.		Total number constructed.	Total number provided with latrine accommodation.	Percentage of vehicles with retiring accommodation in total number constructed.	First class and saloon carriages ...	23	17	74	Composite carriages ...	18	18	100	Second class ...	41	20	49	Third class, single story ...	187	187	100	" double " ...	46	46	100	" mail vans ...	7	7	100	Overland mail vans ...	3	3	100
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Latrine accommodation is not provided in 3rd class (called 4th class on this line) carriages, the practicability or desirability of this being a matter of some doubt.	The duration of the halt of a train is always called out at stations where it stops for 5 minutes or more.	It is considered that at least 24 hours' notice should be given.																																	
The majority of native passengers, it is said, object to the provision of latrines in the carriages.	This is done ... The Agent adds that the Traffic Manager has been instructed to have the information regarding duration of halts at stations printed in vernacular and posted in a conspicuous place in all 3rd class carriages. The 3rd class carriages on this line are now said to be run with doors entirely unlocked. This measure is reported to be very popular with the native travelling community, while no special complaints of fraud or accident have been made by the Railway officials.	Reserved accommodation can be obtained at a short notice at all large stations. For road-side stations, 24 hours' notice is considered sufficient.	All 1st, 2nd, composite and reserved carriages are provided with a fully equipped lavatory in each compartment. All upper or intermediate class carriages have latrine accommodation for two compartments in each carriage by a closet divided from the carriage by doors. All ambulance 3rd class carriages have retiring accommodation at one end to which all passengers in the carriage have access. The closet is partitioned off and provided with a door, and the door is latched, with a hole in it, as seats when provided in latrines become extremely offensive. In addition to above, 30 third class carriages are provided with holes in each compartment, these being fitted with shades, the seat of the carriage being hinged, and when turned up, forms a screen. The total number of 3rd class carriages provided with latrine accommodation is 60. The Consulting Engineer thinks it desirable to increase gradually the number of 3rd class carriages with latrine accommodation, which at present form one-third of the 3rd class stock.																																

SUPPLEMENT TO THE GAZETTE OF INDIA, FEBRUARY 21, 1885.

Abstract of Reports showing the measures adopted for promoting the comfort

	(1)	(2)	(3)	(4)	(5)
ways.	Introduction of improved pattern of intermediate class carriages, with retiring accommodation, and provision of reserved compartments at moderate rates. (P. W. D. Circular No. 111 Ry., dated 1st March 1883.)	Reserved accommodation for Native females. (P. W. D. Circular No. 111 Ry., dated 1st March 1883.)	Adoption of a system of Platform tickets. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Exhibition in the lower class carriages of the maximum number that may be carried in each compartment. Maximum number not to be exceeded. Maximum number carried in each class of accommodation during the different seasons, and the minimum space allowed per passenger. (P. W. D. Circular No. 111 Ry., dated 1st March 1883, and letter No. 870 R. T., dated 7th August 1883.)	Sale of intermediate class tickets at the window used for sale of 2nd class tickets at the principal stations. (P. W. D. No. 870 R. T., dated 7th August 1883.)
AND KHAND	The desirability of introducing an intermediate class in lieu of the present lower reserved is under the consideration of the Agent.	A lower class carriage is set apart on every train for native women travelling with lower class tickets. Doolies and palanquins are allowed on to the platform, and at principal stations, waiting-rooms are provided for native females only, whose wants are attended to by female ticket collectors. Paragraphs 12 and 13 of the Consulting Engineer's letter regarding upper class reserved accommodation may be read, also paragraphs 16 to 20 regarding the desirability of introducing 4 classes of carriages on this line.	The adoption of a system of platform tickets is not considered necessary. Respectable natives are always admitted free to the platform. It is added that if platform tickets were sold, doubtful or known bad characters who are now kept off, would, by purchasing them, have a legal right to admission and to loiter about.	The maximum number of passengers carried in a compartment of a lower class carriage is 8 in the hot and 10 in the cold season. Every possible care is taken that the maximum number is not exceeded, but overcrowding cannot always be avoided, for when families or parties of natives travel together, they prefer being crowded to being separated. The floor space allowed per passenger is 3'66 square feet in cold weather and 4'45 square feet in hot weather, and the cubical content 22'59 feet in cold weather and 23'23 feet in hot weather.	Tickets for lower reserved class passengers are sold at the same window as those for the upper class.
ORTD-	Intermediate class carriages specially fitted with purdahs and retiring closets have been introduced. A plan of the carriage adopted was submitted with Manager's No. 7460 of 20th November 1883. (R. R. No. 1401 T. of 1883, linked file.) These carriages were first reserved exclusively for native passengers, but as they ran throughout the year practically empty, they have been thrown open to Europeans and Eurasians.	One 3rd class carriage on all passenger trains is always reserved exclusively for native females.	On this line a system has been introduced under which tin tickets are issued and at most stations one anna and at Rawalpindi four annas are required to be deposited by the holder of the ticket, the amount being refunded to him on returning the ticket. The Traffic Manager thinks that it would be better to give Station Masters full power to allow any number of persons on a platform to receive or see off any class of passengers, so long as no inconvenience is caused to passengers, and at meals and other times to refuse admittance to any one except friends of 1st and 2nd class passengers. He does not recommend any charge to be made, as payment of fares will give any man a claim to come on to the platform even during busy times, and adds that if a person really desirous of seeing a friend off cannot get a platform ticket, he can purchase a 3rd class ticket to the next station for one anna or two, and thus get access to the platform.	The maximum number of passengers carried in a 3rd class compartment is 8 during hot weather and 10 during cold weather, and the minimum sitting space allowed per passenger 25 and 40 inches, respectively. The order is that the maximum number laid down for each carriage should not be exceeded, but parties travelling together very often insist upon getting into a compartment intended to carry a less number and object to being separated.	This is done.

and convenience of Native passengers on Indian Railways—continued.

(6)	(7)	(8)	(9)
Results of experiments made in the provision of latrine accommodation in 3rd class carriages. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Suggestion to call out at each station the duration of the halt of a train, together with the name of the station. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Whether the time of notice for reserved accommodation cannot be reduced to 8 hours at large stations where spare stock is kept, and 24 hours at others. (P. W. D. No. 870 R. T., dated 7th August 1883.)	What proportion of each class of passenger vehicles is fitted with retiring accommodation. (P. W. D. No. 1400 R. T., dated 27th December 1881.) And what is the exact nature of retiring accommodation provided. (P. W. D. No. 38 R. T., dated 10th January 1884.)
<p>Latrines are provided in the lower class carriages reserved for females, but the Agent states that, owing to their being misused, their condition is generally filthy, and that the expediency of discontinuing them is under consideration.</p> <p>Latrines in ordinary lower class carriages are not considered desirable, as they would be distasteful, and even offensive, to passengers.</p> <p>The Agent does not, moreover, admit the necessity for this provision, as there are latrines at all stations, and the duration of halts is called out at each station; and he points out that no such accommodation is given in England, though the intervals between stoppages are often very much longer, and the halts shorter, than in this country.</p> <p>The Consulting Engineer, Lucknow, thinks the most feasible plan would be to fit up a portion of a brake-van or luggage van specially for this purpose, in two compartments, for men and women, respectively, with water-tank on top and traps inside, each compartment in charge of a person of proper caste, whose sole business would be to keep it clean and inoffensive.</p> <p>Passengers might then be allowed to go into these at any station, and remain there till arrival at the next.</p>	<p>The duration of halts and the name of the station are called out at each station—please see column 6.</p>	<p>Compliance with the present rule requiring 48 hours' notice is seldom exacted, and reserved accommodation is often given at half an hour's notice. The Agent is satisfied that no inconvenience is caused to travellers by the rule as it now stands, but he has no objection to its being altered if desired by Government.</p>	<p>The whole of the upper class stock has bath-room accommodation, i. e., each compartment is fitted up with a basin, commode and shower bath, the average area thus taken being 28 square feet.</p> <p>In the lower reserved and lower class carriages no retiring accommodation is provided, but in 7 carriages, exclusively reserved for native females, there is a shoot in the floor, enclosed in a cup-board, measuring 4' 0" x 3' 0".</p> <p>In 16 of the lower class carriages, the compartments allotted to the Postal Department are fitted with a shoot in the floor.</p>
<p>No experiment has been made with latrines in 3rd class carriages. Latrines are provided in the intermediate class carriages, but the results are not considered satisfactory. The wood-work of the floor in which a hole is made is said to have got saturated, and there is perceptibly an offensive odour about the latrines; and the Traffic Superintendent thinks that it is the case with intermediate class carriages in which a higher class of natives travel and in which there are two latrines for 26 passengers, latrines would be a perfect nuisance in carriages constructed to carry 60 people.</p>	<p>The names of stations are called out, and instructions have been issued to have the duration of halts of trains also called out.</p> <p>Third class carriages are run with doors unlocked on both sides, except from the nearest station on each side to Lalamusa and Rawalpindi where the doors are locked on the platform side to facilitate the examination of the tickets at the junctions.</p>	<p>No reduction of time is recommended as the carriages have to be hauled a long distance before the accommodation can be provided.</p>	<p>The double 1st and 2nd classes and the composite carriages have retiring accommodation at each end, with a lavatory and water closet; the intermediate class carriages have two enclosed closets, one for each compartment. Each closet is 2' 3" square, and has a hole in the centre of the floor. The third class carriages are not provided with latrines.</p>

Abstract of Reports showing the measures adopted for promoting the comfort

	(1)	(2)	(3)	(4)	(5)
Railways.	Introduction of improved pattern of intermediate class carriages, with retiring accommodation, and provision of reserved compartments at moderate rates. (P. W. D. Circular No. 111 Ry., dated 1st March 1883.)	Reserved accommodation for Native females. (P. W. D. Circular No. 111 Ry., dated 1st March 1883.)	Adoption of a system of platform tickets. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Exhibition in the lower class carriages of the maximum number that may be carried in each compartment. Maximum number not to be exceeded. Maximum number carried in each class of accommodation during the different seasons, and the minimum space allowed per passenger. (P. W. D. Circular No. 111 Ry., dated 1st March 1883, and letter No. 870 R. T., dated 7th August 1883.)	Sale of intermediate class tickets at the window used for sale of 2nd class tickets at the principal stations. (P. W. D. No. 870 R. T., dated 7th August 1883.)
INDUS VALLEY ...	There are no intermediate class carriages at present, but 20 are under supply from England. These will contain separate retiring accommodation for each compartment.	A third class carriage is reserved on the passenger trains for the exclusive use of native female travellers. Only ten third class carriages of the ambulance type, open from end to end, having one latrine in a corner at one end, enclosed by a door, are available for this service. A sufficient number for the whole of this service will, it is said, be at once fitted with latrines.	Platform tickets are not in use at present, as no inconvenience is caused by the overcrowding of platforms. Respectable Europeans and Natives are admitted to the platforms at the discretion of Station Masters. The Manager thinks that platform tickets may hereafter be found necessary, but he would prefer issuing them without payment, as the issue and collection of tickets at one and the same station opens the door to fraud and places a temptation in the way of the staff.	The maximum number of passengers allowed to be carried in lower class carriages is printed on them, both inside and outside. For an ordinary 3rd class carriage the maximum number is 64 during the cold weather and 40 during the hot weather. The minimum space per passenger in the cold weather varies according to the type of the carriage from 18 to 20½ inches in width of seat and 33½ to 40 cubic feet of space. The most recent and approved type of carriage gives 20½ in width of seat and 33½ cubic feet of space per passenger. This space is increased by ½ in hot weather.	When intermediate class carriages commence to run, tickets will be sold at the 2nd class ticket window.
RAJPUTANA- MALWA.	Intermediate class carriages of improved pattern, with retiring accommodation, are in use.	Third class carriages or compartments are reserved for native females on all passenger trains. The number of native females travelling in intermediate class carriage being few, it has not been found practicable to place reserved accommodation for them in this class on every passenger train. It can be arranged for on due notice being given.	At principal stations platform tickets are, as a rule, issued free of charge to friends of In-coming and out-going passengers. As an experiment, platform tickets are being issued at Agra Fort at a charge of one anna each; if found to answer, the practice will be extended to other principal stations.	Strict orders are in force to prevent overcrowding. The maximum carrying capacity of intermediate and 3rd class compartments are 12 and 8 respectively for all seasons, the minimum sitting accommodation per passenger being 3'34 feet and 3'47 feet. This accommodation is considered ample, and the Manager does not think it necessary to fix different maxima for different seasons, as during the hot season there is, as a rule, much less travelling done, and therefore greater room is available in trains.	This is done.

and convenience of Native Passengers on Indian Railways—continued.

(6)	(7)	(8)	(9)																																																
Results of experiments made in the provision of latrine accommodation in 3rd class carriages. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Suggestion to call out at each station the duration of the halt of a train, together with the name of the station. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Whether the time of notice for reserved accommodation cannot be reduced to 6 hours at large stations where spare stock is kept, and 24 hours at others. (P. W. D. No. 870 R. T., dated 7th August 1883.)	What proportion of each class of passenger vehicles is fitted with retiring accommodation. (P. W. D. No. 1400 R. T., dated 27th December 1883.) And what is the exact nature of retiring accommodation provided. (P. W. D. No. 38 R. T., dated 10th January 1884.)																																																
Enclosed latrines are provided in 10 third class carriages of the ambulant type which are reserved for native females. These are said not to have been kept as clean and free from odour as is desirable, but the Manager thinks that they may, and should, be kept clean when limited to the carriages reserved for native females. He, however, notes that the experience of the Gndh and Rohilkhand Railway goes against even this limited introduction of latrines into carriages, and is strongly opposed to the universal introduction of latrines into 3rd class carriages, as it would be quite impossible to keep them clean. He adds that the experience of the Great Indian Peninsula Railway, who abandoned the experiment, and the opinions of the other lines recorded at the Railway Conference of 1882, may be treated as conclusive on this point.	Will be done	Forty-eight hours' notice is not insisted on where reserved accommodation can be provided earlier, but a reduction of this time is not considered advisable at present. The amount of notice, it is said, must depend on the proportion of spare stock to the running stock and to the length of the line. This proportion is very small on the Indus Valley line for 1st and 2nd class carriages, and comparatively large demands are made for them for those of troops.	The whole of the 1st and 2nd class stock is provided with retiring accommodation, consisting of a small room, half the width of carriage, fitted with looking-glass, wash-hand basin with water laid on and raised seat. A few 1st class carriages have butte-rooms of the whole width of the carriage. The intermediate class carriages are designed to have a small compartment, half the width of the carriage, for each of the lateral compartments, fitted with a native latrine, water-tap and a wash-hand basin. Ten 3rd class carriages out of a total of 169 are fitted with retiring accommodation, consisting of a small enclosed place, with an opening in the floor, in a corner at one end of the carriage, which has a free passage through it from end to end.																																																
The provision of retiring accommodation is also considered necessary, as the average length of journey of a 3rd class passenger on the Indus Valley Railway is about 50 miles, and even on the East Indian Railway only 70 miles. It would, it is said, suffice, if, as on the Indus Valley Railway, the doors were kept unlocked, and the duration of halts at stations, where the train stops more than 10 minutes, were called out, as suggested by the Government of India, with a proviso, to be introduced on the Indus Valley Railway, that, when passenger trains are running late, they shall never stop less than 10 minutes at such stations.																																																			
Only the intermediate and saloon 3rd class carriages are provided with latrine accommodation, but all the Traffic Officers are of opinion that these end-opening saloon carriages are not so convenient as the 4-compartment side-door vehicles, which are said to be more appreciated by the public, as they are easier of access and exit, and are more private. For this reason, all 3rd class stock now under erection is being constructed on the 4-compartment principle. The Manager thinks that retiring accommodation should only be provided to the following extent:— In mail trains. 1).—One saloon third class for females. 1).—One intermediate, in both compartments. In mixed trains. 1).—One composite intermediate and third class in both compartments for females. 1).—If found necessary, a compartment of one side-door 4-compartment 3rd class carriage to be fitted up with a latrine for the use of females only.	There is a rule in force that when a train stops 10 minutes, or longer, at a station, the duration of the halt shall be called out; but the duration of all halts of 5 minutes and over of mail, passenger, and mixed trains, will be called out in future with the names of stations.	The rule in force on this line requires a notice of not less than 12 hours, and the Manager thinks that this period cannot be reduced without inconvenience to the Railway and probably, in some cases, disappointment to the public, as reserved vehicles are only kept at certain principal stations and need time to be worked to other stations. Whenever possible, reserved accommodation is given in less time.	<table><tr><th></th><th>Total number constructed.</th><th>Number provided with retiring accommodation.</th></tr><tr><td>Royal saloons</td><td>3</td><td>3</td></tr><tr><td>State</td><td>3</td><td>3</td></tr><tr><td>Inspection carriages</td><td>4</td><td>6</td></tr><tr><td>First class</td><td>82</td><td>82</td></tr><tr><td>Composite 1st, 2nd</td><td>33</td><td>33</td></tr><tr><td>2nd class</td><td>82</td><td>82</td></tr><tr><td>Intermediate</td><td>30</td><td>30</td></tr><tr><td>Composite, Intermediate and 3rd</td><td>20</td><td>20</td></tr><tr><td>3rd class end doors</td><td>14</td><td>14</td></tr><tr><td>Ambulance 3rd class</td><td>5</td><td>5</td></tr><tr><td>3rd class side doors</td><td>510</td><td>N/A</td></tr><tr><td>Dynamometer carriage</td><td>1</td><td>1</td></tr><tr><td>Combined 3rd class and Post Office</td><td>14</td><td>N/A</td></tr><tr><td>Post Office vans</td><td>8</td><td>8</td></tr><tr><td>Brake vans</td><td>232</td><td>232</td></tr></table>		Total number constructed.	Number provided with retiring accommodation.	Royal saloons	3	3	State	3	3	Inspection carriages	4	6	First class	82	82	Composite 1st, 2nd	33	33	2nd class	82	82	Intermediate	30	30	Composite, Intermediate and 3rd	20	20	3rd class end doors	14	14	Ambulance 3rd class	5	5	3rd class side doors	510	N/A	Dynamometer carriage	1	1	Combined 3rd class and Post Office	14	N/A	Post Office vans	8	8	Brake vans	232	232
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			The retiring accommodation in intermediate and third class carriages consists of a small enclosed closet about 2 feet square, with a hole in the centre of the floor																																																

Abstract of Reports showing the measures adopted for promoting the comfort

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Railways.	Introduction of improved pattern of Intermediate class carriages, with retiring accommodation, and provision of reserved compartments at moderate rates. (P. W. D. Circular No. 111 Ry., dated 1st March 1883.)	Reserved accommodation for Native females. (P. W. D. Circular No. 111 Ry., dated 1st March 1883.)	Adoption of a system of platform tickets. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Exhibition in the lower class carriages of the maximum number that may be carried in each compartment. Maximum number not to be exceeded. Maximum number carried in each class of accommodation during the different seasons, and the minimum space allowed per passenger. (P. W. D. Circular No. 111 Ry., dated 1st March 1883, and letter No. 870 R. T., dated 7th August 1883.)	Sale of intermediate class tickets at the window used for sale of 2nd class tickets at the principal stations. (P. W. D. No. 870 R. T., dated 7th August 1883.)
RAJPUTANA-MALWA—contd.					
WARDHA COAL...	The third class on this line corresponds with the intermediate class on other lines.		Introduction of platform tickets not necessary. Every one is admitted free to the platform.	Only 2 fourth class carriages of the State Railway broad gauge type have been received on this line. They are now used as 3rd class carriages, and the old type of Great Indian Peninsula Railway 3rd class carriages as 4th class. The space allowed per passenger on the new carriages is 1' 5" linear measured on the seat, or 25½ cubic feet of carriage capacity.	There is said to be no necessity for this, as the passenger traffic is very small.
CALCUTTA AND SOUTH-EASTERN AND NALHATI.	There is no intermediate class on these lines nor have the public ever applied for such accommodation.	Three-fourths of a 3rd class carriage on each train is reserved on the Calcutta and South-Eastern Railway and a 3rd class compartment on the Nalhati Railway.	The necessity for such tickets has not been felt.	Overcrowding is avoided as a rule. During "Melas" and such exceptional occasions, passengers have been found to overcrowd compartments, unmindful of the space available. There are two kinds of lower class carriages, viz., vendors' or lowest class and third class. Accommodation was originally provided for the vendors in covered wagons filled with racks, but they are being replaced with old 3rd class carriages which are of an obsolete type and better suited for vendors' than for 3rd class carriages. The floor space allowed to each passenger in the 25 wagons still used as vendors' carriages, is 6'75 sq. ft. in the old 3rd class carriages converted into vendors' carriages, 4'82 sq. ft.; in the old 3rd class vehicles still used as such, 3'37 sq. ft.; and in the new 3rd class carriages of the standard type, 4'35 sq. ft. The maximum number of passengers allowed to be carried in each carriage is shown on the outside.	Please see column 1.
NORTHERN BEN GAL.	Ten such carriages having 5 berths in each compartment, with retiring accommodation, have been sanctioned for the line. For rates at which reserved accommodation is allowed, please see extract from the Manager's letter, No. 75W., dated 13th January 1884, furnished by the Government of Bengal.	A compartment in a 3rd class carriage is reserved for the exclusive use of native females in the mail and one of the mixed trains. The existing stock of 3rd class carriages does not admit of a compartment being reserved for the 2nd mixed train.	There is no necessity for such tickets, as stations have not become important enough as yet. Respectable natives are admitted free into the platforms.	The maximum number allowed in each intermediate compartment is 12, and that each 3rd class compartment 8, the minimum floor space per passenger being 4½ and 3½ square feet respectively. These limits are in force throughout the year.	One ticket window has been found sufficient at stations, with the exception of Siliguri where intermediate class tickets are now sold at the same window as 1st and 2nd class tickets.

and convenience of Native Passengers on Indian Railways—continued.

(6)	(7)	(8)	(9)
Results of experiments made in the provision of latrine accommodation in 3rd class carriages. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Suggestion to call out at each station the duration of the halt of a train, together with the name of the station. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Whether the time of notice for reserved accommodation cannot be reduced to 4 hours at large stations where spare stock is kept, and 24 hours at others. (P. W. D. No. 870 R. T., dated 7th August 1883.)	What proportion of each class of passenger vehicles is fitted with retiring accommodation. (P. W. D. No. 1400 R. T., dated 27th December 1883.) And what is the exact nature of retiring accommodation provided. (P. W. D. No. 38 R. T., dated 10th January 1884.)
The mail trains now run with at least one saloon 3rd class and one intermediate, and the mixed trains with a composite intermediate and 3rd class carriage. All the Traffic Officers and the Manager are of opinion that it is not advisable or necessary to provide latrine accommodation in mixed trains, as these stop at each station, and as nearly all the stations are provided with adequate latrines.			
Please see column (6)		Reserved accommodation is provided on 24 hours' notice.	Only two 1st class compartments, out of three, are fitted with retiring accommodation. No other passenger vehicles have this convenience. Latrine accommodation will be provided in the new 3rd class carriages, which will soon take the place of the old Great Indian Peninsula stock now running.
The lengths of the lines being short, and the stoppages frequent, no retiring accommodation in 3rd class carriages is said to be wanted.		Reserved accommodation is provided on short notice.	All 1st and 2nd class carriages received from the Patna-Gya Railway are provided with retiring accommodation, but no such provision has been made in the 3rd class carriages.
Latrine accommodation is provided in the 3rd class compartment reserved for the exclusive use of native males on the mail and one of the mixed trains, but nothing has been done in the direction of making such provision general, as, when trains are timed to stop at stations for more than 5 minutes, the duration of halt is called out.	Please see column (6)	It is not considered desirable to reduce the time of notice (48 hours) required at present until the additional carriages ordered have been supplied to the Traffic Department.	The 1st and 2nd class carriages have retiring accommodation. There is no such accommodation in the intermediate class carriages, but the new type vehicles of this class are being provided with it in each compartment. 18 per cent. of the 3rd class stock have retiring accommodation. The latrine accommodation provided in 1st and 2nd class carriages is similar to that for 1st class and composite carriages, respectively, shown in Mr. Molesworth's Drawing No. 14 of 9th August 1877. The new type of intermediate class carriages will have accommodation similar to that of composite carriages, except that the latrine will be on the floor of the carriage, and there will be no washing basin. In 3rd class carriages the latrine forms part of the ordinary bench, and is separated by a partitioned

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Tiruchirappalli.	Proposals are under consideration for introducing at an early date this class of carriage with retiring accommodation.	A compartment of a 3rd class carriage attached to each train has been hitherto reserved for native females, but this accommodation being insufficient, the Manager has ordered half a 3rd class carriage to be reserved in each train for this purpose.	The introduction of platform tickets is not considered desirable, as no inconvenience is felt by allowing native gentlemen free access to the platforms.	The maximum number for each 3rd class compartment is 8. This gives a floor area of 34 square feet per passenger. During "Melas" when the 3rd class stock is found insufficient, 3 flap-door wagons are used for male passengers, and not more than 24 are put into a 14' wagon, or more than 28 into an 18' wagon.	The Manager does not consider that there is any necessity to make any distinction of windows for this class of traffic, as there is in general ample accommodation for obtaining tickets.
CANNIA AND ACHENRA.	It is intended to have a compartment at each end of a composite Postal carriages fitted with retiring accommodation and provided with seats for 5 or 6 intermediate class passengers, and to allow any passenger paying four fares or 1 anna per mile to reserve the whole compartment. Should this accommodation become popular, more carriages can be provided by dividing an ordinary 3rd class carriage into four such compartments, and reserved accommodation brought within the reach of the poorer travellers. It is also proposed to have six 3rd class carriages, having a separate closet in each compartment. These carriages are to be reserved for native females, and any traveller paying 0 third class fares is to have a compartment reserved for him.	At present one carriage on every train is reserved for native females.	There are no stations of such magnitude as to render issue of platform tickets necessary.	The maximum number allotted to each vehicle is the same throughout the year. The whole of the 3rd class carriages are now being altered and a third seat is being added to the omnibus carriages which will give a length of seat of 18' for each of 33 passengers. The new carriages under construction have side doors and are divided into four compartments, each seating 8.	This will be done where there are separate ticket windows.
NAGPUR AND CHHATTISGARH.	The 3rd (intermediate) class carriages are provided with closed retiring accommodation in each compartment and the doors and windows fitted with venetian shutters, whereby seclusion for the families of native passengers can be secured. The rates in force for reserved accommodation are— 32 fares for a whole 4th class carriage. 24 fares for a whole 3rd class carriage. 12 fares for half 3rd class carriage. The above rates appear to be based on the maximum number allotted to each carriage (vide column 4).	One-half compartment of a 3rd, and the whole of a 4th, class carriage are reserved exclusively for native females on all trains; and when this accommodation is found insufficient, extra accommodation is supplied.	No difficulty is experienced in consequence of free admission of natives on to the platforms.	The maximum carrying capacity is maintained both inside and outside on all 3rd and 4th class carriages. Each 3rd class carriage contains two compartments, each of which is intended to carry 12 passengers; and each 4th class contains four compartments, each of which is to carry a maximum number of eight passengers. No overcrowding is allowed under any circumstances. The seat space allowed to each passenger is about 18' in both 3rd and 4th class carriages.	Orders have already been issued to all principal stations to afford the same facilities to 3rd class (intermediate) passengers as 1st and 2nd class. A similar order will be issued to all stations.

and convenience of Native Passengers on Indian Railways—continued.

(6)	(7)	(8)	(9)
Results of experiments made in the provision of latrine accommodation in 3rd class carriages. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Suggestion to call out at each station the duration of the halt of a train, together with the name of the station. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Whether the time of notice for reserved accommodation cannot be reduced to 6 hours at large stations where spare stock is kept, and 24 hours at others. (P. W. D. No. 870 R. T., dated 7th August 1883.)	What proportion of each class of passenger vehicles is fitted with retiring accommodation. (P. W. D. No. 1400 R. T., dated 27th December 1884.) And what is the exact nature of retiring accommodation provided. (P. W. D. No. 38 R. T., dated 10th January 1881.)
<p>No provision of latrine accommodation has yet been made on this Railway in 3rd class carriages, and the Manager is of opinion that it would tend to make carriages unhealthful and spread disease. Latrines are provided at each station, and it is proposed to act up to the suggestion of calling out the duration of halts at all stations where trains stop for about 10 minutes.</p> <p>To call out the halt at each station for the mail trains, which only stop 3 minutes at minor stations, would, in Manager's opinion, cause a delay to the train.</p>	Please see remarks in column (6).	<p>The time of notice required for reserved accommodation is 12 hours at the larger, and 24 hours at the smaller, stations. The rolling-stock is not sufficient to reduce the time.</p>	<p>All 1st and 2nd class carriages have retiring accommodation. No such accommodation exists in the 3rd class carriages.</p> <p>The retiring room attached to each compartment of 1st and 2nd class carriages is 3' 6" long, 2' 7½" broad, and 6' 4" high, and is provided with a water closet, a wash-hand basin with water-tap, a tray for necessities, and pegs for clothes.</p>
It is not proposed to provide latrine accommodation, except in the intermediate class carriages and those reserved for native females, as it is feared that, if given generally, the maintenance of the permanent-way would suffer.	The length of stoppage of trains at stations is now called out.	The notice required at present is 12 hours. This cannot be reduced owing to the small number of vehicles available for reservation.	Please see columns (1) and (6).
<p>All 3rd class carriages are provided with latrines. They are said to be appreciated by the natives, and to be a great convenience, more especially for those travelling long distances with families.</p> <p>Latrines are provided at convenient places on the passenger platforms.</p>	The name of the station is called out on arrival of trains, and ample time is afforded to those who wish to alight.	Reserved accommodation is furnished, when available, on 6 hours' notice at Nagpur, and 24 hours' notice at other stations.	<p>The 1st and 2nd class vehicles are all provided with the usual water closet retiring arrangement.</p> <p>The 3rd (intermediate) class carriages are also provided with reserved accommodation, the cleanliness of which is secured by an outside receiver, down which at each important station buckets of water are emptied. The receiver narrows at the throat, and a complete sluicing of the sides of the pan (which is open below) is effected; in practice, two buckets of water are found sufficient to thoroughly clean it. The floor of the closet is covered with zinc, and the hole in the floor is lined with the same metal. Two brackets are provided, on either side of the hole, to enable the passenger to stand clear of the floor. The brackets are clear of the floor so as not to obstruct cleaning operations.</p> <p>The 4th class carriages have no latrine accommodation, but the question of providing the same will not, it is said, be lost sight of, when new carriages are under construction.</p>

Abstract of Reports showing the measures adopted for promoting the comfort

	(1)	(2)	(3)	(4)	(5)
Railways.	Introduction of improved pattern of intermediate class carriages, with retiring accommodation, and provision of reserved compartments at moderate rates. (P. W. D. Circular No. 111 Ry., dated 1st March 1883.)	Reserved accommodation for Native females. (P. W. D. Circular No. 111 Ry., dated 1st March 1883.)	Adoption of a system of Platform tickets. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Exhibition in the lower class carriages of the maximum number that may be carried in each compartment. Maximum number not to be exceeded. Maximum number carried in each class of accommodation during the different seasons, and the minimum space allowed per passenger. (P. W. D. Circular No. 111 Ry., dated 1st March 1883, and letter No. 870 R. T., dated 7th August 1883.)	Sale of intermediate class tickets at the window used for sale of 2nd class tickets at the principal stations. (P. W. D. No. 870 R. T., dated 7th August 1883.)
BRITISH BURMA	No intermediate class carriage is necessary owing to the rates being exceedingly low for the country, viz., 3 pies per mile for 3rd class passengers, and 6 pies per mile for 2nd class passengers. The 2nd class is freely used by the well-to-do natives of either sex, and the composite carriages have retiring accommodation, though it is doubtful whether it is used by Burmese travellers.	No reserved accommodation is required, as there is no caste system, and the women freely associate with men. It is never asked for, nor are any complaints made of its absence.	The introduction of platform tickets is not considered necessary, as the numbers of persons desiring admittance to the platform at more important stations are never very large. No restrictions are placed on respectable persons going on to the platforms with, or to meet, friends.	There is no necessity for reducing the maximum number of passengers per vehicle during the hot season. The temperature in the carriages during the hottest weather is never so great that the full number of passengers cannot travel with comfort. About one-third of the 3rd class carriages have seats and the remainder are without seats. The maximum number allotted to the former is 32 and that to the latter 30, the space allowed per passenger being 37 and 3 square feet respectively. The maximum carrying capacity is painted on each carriage in both English and Burmese.	Intermediate class carriages are not in use on this line.
BIHAR NAGPUR GONDAL.	No intermediate class carriages. When introduced, they will be fitted with retiring accommodation. Designs and estimates for four carriages are in course of preparation.	Six carriages have had the end compartment partitioned to the roof, and one is run on each train and can be reserved on payment of six fares. On each train certain 3rd class carriages are set apart for native female travellers.	The practice of issuing platform tickets at a charge of 3 pies per head is about to be introduced.	The maximum number allotted to a compartment is eight, and whenever possible, this number is reduced to six during the hot weather. The minimum accommodation allowed to each passenger is 3 square feet. The necessity for preventing overcrowding is impressed on the staff, but it is said to be a matter of great difficulty to deal with, as passengers would far sooner be overcrowded than left behind. It is also added that with the uncertain nature of road-side traffic, and only a single service daily, it is almost impossible without either constant empty luggage, or much discontent to prevent its occurrence at intervals.	The question of introducing intermediate class carriages is under consideration, and if introduced, tickets will be sold, where separate windows are in use, at the 2nd class ticket window.
HIS HIGHNESS THE NIZAM'S.	The introduction of an intermediate class of carriages is not recommended. The requirements of the better classed natives can, the Manager thinks, be met by adopting low rates for reserved 3rd class compartments.	Reserved accommodation for native passengers travelling with their families was provided during the second-half of 1883, and now each train has two or more 3rd class vehicles with end compartment partitioned off from the rest of the carriage.	Free admittance to the platforms is allowed at all stations except Hyderabad, where the privilege is extended to the relatives and followers of 1st and 2nd class passengers only; the 3rd class passengers having to part with their friends in the large waiting rooms provided for males and females at either end of the station building. On Special or State occasions, free passes are issued. As three-fourths of the 3rd class passengers on this line travel to and from Hyderabad, the platform is very often crowded with passengers, all of whom carry arms, and it is not therefore considered advisable to issue platform tickets.	The maximum number to be accommodated in each compartment is marked both inside and outside of the carriages, but notwithstanding this, great difficulty is said to be frequently experienced in preventing overcrowding. A seat space of 18 inches is allowed per passenger in 3rd class carriages. The maximum number carried in a compartment does not vary in different seasons. The heat in the Deccan not being excessive, this provision is said not to be required.	The better class of Native and Eurasian passengers at terminal stations obtain tickets from the window where 1st class tickets are issued.
MYSORE	There is no intermediate class carriage on this line, and there is said to be no necessity for such accommodation, owing to the short length of the line.	One 3rd class carriage is invariably reserved on every passenger train for native females.	Respectable natives are allowed free admission to platforms. No inconvenience has yet been caused by this practice, but should any necessity arise, platform tickets will be introduced.	The maximum number carried in a third class compartment is 10, and the minimum sitting space allowed per passenger is 1' 2 1/2". These limits are in force throughout the year, the changes of climate in Mysore not necessitating special accommodation in different seasons.	No intermediate class carriage.
DARJEELING-BHAGANAGAR.	...	Arrangements have been made to reserve half of a 3rd class trolley on each passenger train for the convenience of native females, the other half being available for such of them as may require reserved accommodation.	...	...	...

and convenience of Native Passengers on Indian Railways—concluded.

(6)	(7)	(8)	(9)
Results of experiments made in the provision of latrine accommodation in 3rd class carriages. (P. W. D. No. 874 R. T., dated 7th August 1883.)	Suggestion to call out at each station the duration of the halt of a train, together with the name of the station. (P. W. D. No. 870 R. T., dated 7th August 1883.)	Whether the time of notice for reserved accommodation cannot be reduced to 6 hours at large stations where spare stock is kept, and 24 hours at others. (P. W. D. No. 870 R. T., dated 7th August 1883.)	What proportion of each class of passenger vehicles is fitted with retiring accommodation. (P. W. D. No. 1400 R. T., dated 25th December 1883.) And what is the exact nature of retiring accommodation provided. (P. W. D. No. 38 R. T., dated 10th January 1884.)
<p>The third class carriages were at first provided with retiring rooms, but as they were never used, the partitions have, after full trial, been removed. The provision of latrines at stations which are, on an average, only 7½ miles apart, is said to be sufficient to meet all requirements. These are freely used by both sexes and all classes.</p>	...	<p>No reserved accommodation is now allowed on this line owing to paucity of stock. As the stock increases, the question of a change in this respect will, it is said, be considered.</p>	<p>Please see remarks in columns (1) and (6).</p>
<p>The 3rd class carriages are not provided with latrines, and as the trains halt at no very great intervals for periods of six and eight minutes at watering stations, they can, it is believed, be done without.</p> <p>The question of supplying latrines in carriages to be reserved for women and children will be considered when any further 3rd class stock is under consideration.</p> <p>Intermediate class carriages, when introduced, will be fitted with retiring accommodation.</p>	<p>Arrangements will be made for calling out the length of stoppage at all stations where it exceeds 3 minutes, at the same time as the name of the station.</p>	<p>The time of notice will be reduced to 6 hours at stations where stock is kept; for out-stations it cannot be put at less than 36 hours owing to the few trains running.</p>	<p>Only the 1st class carriages are fitted with retiring accommodation, which consists of a small lavatory and latrine for each saloon or compartment. Four 2nd class carriages are also being fitted with it. These carriages are being lengthened at either end so as to give room upon which to erect the lavatory and latrine. On the completion of these four carriages, the remaining second class stock will be similarly altered.</p>
<p>Latrines are provided in most of the 3rd class carriages, but owing to the difficulty in keeping them clean throughout a journey, they are most offensive, and a source of nuisance rather than a convenience; and as there are latrines at all stations, in building new stock it is not proposed to provide latrines in 3rd class carriages.</p>	...	<p>Owing to paucity of stock, no reduction of time of notice is possible.</p>	<p>Latrines are provided in all 1st and 2nd, and in most of the 3rd class carriages. A corner of each 3rd class vehicle is screened off for this purpose. The floor is protected by strong zinc sheeting, and every endeavour is made to keep the closets clean. This is, however, said to be a difficult matter during the hot season, as water is not procurable at Wadi for washing carriages.</p> <p>All 1st and two 2nd class carriages are fitted with a water closet and lavatory, and the remainder of the 2nd class stock with latrines only.</p>
<p>No latrines are provided in 3rd class carriages, as the frequency and duration of halts give ample time to passengers at stations.</p> <p>In order to facilitate the ingress and egress of passengers, the practice of locking the doors of carriages has been discontinued.</p>	This is done ...	<p>The time of notice required for 3rd class reserved accommodation is 12 hours, and that for 1st and 2nd class accommodation 24 hours. At the terminal stations of Mysore and Bangalore, 3 hours' notice is, as a matter of fact, sufficient to secure reserved accommodation in any class.</p>	<p>The 1st and 2nd class carriages are provided with latrine accommodation.</p> <p>There are no latrines in the 3rd class carriages.</p>
<p>Vide column (6)</p>	...	...	<p>The nature of the stock in use on this line does not admit of retiring accommodation being provided. This want, however, it is stated, is not felt, owing to frequent stoppage of trains at watering and passenger stations.</p>

GOVERNMENT OF INDIA
DEPARTMENT OF FINANCE AND COMMERCE.

Native Statement of the Net Indian Sea and Land Customs Revenue (excluding Salt Revenue) for the first ten months of the official year 1884-85, and of the thirteen preceding years.

(IN THOUSANDS OF RUPEES.)

FOR THE TEN MONTHS, APRIL TO JANUARY.																YEAR.									
BOMBAY.				SINDH.				MADRAS.				BRITISH INDIA.				YEAR.									
On Imports of Liquors.	On other Imports.	Total Revenue.	On Exports.	On Imports of Liquors.	On other Imports.	Total Revenue.	On Exports.	On Imports of Liquors.	On other Imports.	Total Revenue.	On Exports.	On Imports of Liquors.	On other Imports.	Total Revenue.											
8,81	61.03	20.58	90.42	5.40	39.86	3.89	48.95	1.01	1.11	1.72	3.84	3.14	10.47	11.51	25.05	1.32	3.56	13.64	18.52	19.68	1.15.96	1.35.64	51.14	1.86.78	1871-72.
9,95	57.90	22.76	90.61	4.65	37.28	2.98	44.91	89	1.04	1.73	3.66	3.23	10.13	9.25	22.61	2.51	4.21	23.24	20.96	21.23	1.10.50	1.31.79	59.96	1.91.75	1872-73.
8,86	56.58	18.46	83.90	5.39	39.74	3.13	48.26	1.11	85	1.62	2.98	3.20	11.73	11.47	26.46	2.70	4.05	18.25	25.00	21.26	1.13.01	1.34.27	52.33	1.86.60	1873-74.
9,76	65.37	15.03	90.16	5.63	40.48	3.68	49.79	95	76	1.25	2.96	3.10	11.38	11.09	25.57	3.12	5.74	11.68	20.54	22.56	1.23.73	.46.29	42.73	1.89.12	1874-75.
10,49	62.56	15.89	88.94	5.92	36.48	4.01	46.41	1.13	90	1.08	3.11	3.65	11.58	9.40	24.63	3.12	4.21	20.07	27.40	24.31	1.15.73	1.40.04	50.45	1.90.49	1875-76.
10,84	54.88	15.17	80.89	6.93	35.18	94	43.05	1.23	65	25	2.13	4.49	10.10	5.88	20.47	3.47	4.43	15.25	23.15	26.96	1.05.24	1.32.20	37.49	1.69.69	1876-77.
12,12	68.56	16.89	97.57	7.19	41.50	99	49.68	1.61	79	40	2.80	4.75	7.87	1.85	14.47	4.10	5.22	12.01	21.33	29.77	1.23.94	1.53.71	32.14	1.85.85	1877-78.
10,99	55.12	16.48	82.59	7.20	38.47	1.88	47.55	1.60	52	23	2.35	4.62	7.98	3.80	16.40	5.51	5.78	16.09	27.38	29.92	1.07.87	1.37.79	38.48	1.76.27	1878-79.
10,33	50.89	11.32	72.54	7.98	33.47	1.90	43.35	2.64	62	25	3.51	4.28	7.71	6.43	18.42	5.71	5.73	18.99	30.3	30.94	98.42	1.29.36	38.89	1.68.25	1879-80.
10,89	50.57	12.41	73.87	7.24	46.61	2.07	55.92	4.10	1.06	21	5.37	4.39	8.86	6.38	19.63	3.98	6.81	22.70	33.49	30.60	1.13.91	1.44.51	43.77	1.88.28	1880-81.
10,88	45.03	14.51	70.42	8.41	40.14	1.53	50.08	3.17	1.09	32	4.53	4.18	8.20	3.95	16.33	5.89	6.73	20.24	38.86	32.53	1.01.19	1.33.72	46.55	1.80.27	1881-82.
11,82	14	15.42	27.38	8.49	-1.01*	1.53	9.01	2.87	4	49	3.40	4.46	4	3.14	7.64	6.54	7	31.09	37.70	34.18	-7.2*	33.46	51.67	85.13	1882-83.
12,03	24	15.79	28.06	8.96	48	1.30	10.74	3.08	4	46	3.58	4.19	7	4.63	8.89	6.43	22	23.96	30.51	34.69	95	35.64	46.14	81.78	1883-84.
10,48	30	11.47	22.25	9.06	39	1.67	11.12	3.28	5	50	3.83	4.12	5	4.13	8.20	6.39	6	16.71	23.16	33.23	85	34.08	34.48	68.56	1884-85.

* The amount refunded is greater than the duty collected.

T OF FINANCE AND COMMERCE,
STATISTICAL BRANCH;

Calcutta, 16th February 1885.

D. M. BARBOUR,

Secretary to the Government of India.

GOVERNMENT OF INDIA.
REVENUE AND AGRICULTURAL DEPARTMENT.

THE FINE-ARTS UNIVERSAL EXHIBITION OF ANTWERP IN 1885.

Circular No. $\frac{13 \text{ Ex.}}{4-4}$.

Extract from the Proceedings of the Government of India, Department of Revenue and Agriculture, (Museums and Exhibitions),—dated Calcutta, the 14th February 1885.

RESOLUTION.

READ the following—

No. 16 E.U.B.A., dated Bombay, the 29th December 1884.

*From—F. MASOTTI, Esq., Acting Consul General for Belgium in British India,
To—The Secretary to the Government of India.*

I HAVE the honour to inform you that a Universal Exhibition of Fine Arts is to be held next summer at Antwerp, to which I am desired to invite the Government of India's, and through it, the Governments of the various Presidencies' official co-operation. This Exhibition, which is being organised by the Royal Society of Antwerp for the encouragement of Fine Arts, under the patronage of Government, and with the support of the Communal Administration, is to take place instead of the 24th triennial concours, and is to be opened on 2nd May next.

I beg to address you under separate cover twelve copies of the Prospectus of the said Exhibition setting forth its general rules and regulations, and shall feel very much obliged by the Government of India giving to the project the widest possible publicity.

I venture to hope that the Government of India may be graciously pleased favourably to receive the invitation I have been deputed to convey, and intended, moreover, in the interest of Artists.

May I be permitted to add, that Antwerp will, no doubt, next year, attract a considerable number of visitors of every nationality desirous of seeing the International Exhibition that is to testify to the aptitude and genius of every nation. This opportunity will be availed of to visit and contemplate the vast nautical establishments which have made Antwerp one of the first ports in Europe.

Moreover, that city, it is almost superfluous to mention, is not only a commercial centre, but has for centuries past ranked eminently amongst the world of arts, as shown by its chefs d'œuvre preserved in its Museums and Churches. A visit to Antwerp will, therefore, prove of the utmost interest for the artist as well as for the business-man and tourist.

The retrospective Exhibition of Art and Industries which it is proposed to open also in 1885 will further add to the numerous attractions of that commercial metropolis.

In conclusion, the Royal Society will organise, according to custom and with the authority of the Belgian Government, a lottery of art-objects acquired from amongst the exhibits, without distinction as to origin.

Belgium, and especially the city of Antwerp, reserves the most cordial reception to the foreign artists who, I trust, will numerously respond to the present appeal.

THE FINE-ARTS UNIVERSAL EXHIBITION OF ANTWERP IN 1885.

GENERAL REGULATIONS.

ART. I.

The Fine Arts Royal Society of Antwerp shall, under the patronage of the Belgian Government, and with the co-operation of the Antwerp Communal Administration, organise a Universal Exhibition of Fine-Arts, to take place at Antwerp in 1885, instead of the 24th Triennial Exhibition.

The ground to be assigned for the exhibition of Fine-Arts shall be close by that allotted for the exhibition of Industry, and comprise an area of over 8,000 square metres.

ART. 2.

This Universal Exhibition shall open on the 2nd May, and close in October of the said year.

ART. 3.

The sites shall be placed gratis at the disposal of exhibitors.

ART. 4.

The Belgian Government will be represented by a Commissioner-General, Count Adrian d'Oultremont, M.P., and by a Special Commissioner, Mr. Cuyllits, President of the Royal Fine-Arts Society; the latter will also act as the Commissioner to the Belgian Section in the Exhibition.

The Commissioner-General representing the Government will be the corresponding official between the Society and the foreign representatives.

ART. 5.

Foreign Governments are invited to—

- (1) appoint Committees, in the terms of these regulations, for inviting their respective countries taking part in the Exhibition;
- (2) to accredit with the Belgian Government their respective agents to represent their exhibitors and watch over their interests.

ART. 6.

The Society's Managing Committee shall have no direct correspondence with foreign exhibitors having their respective Government representation in the terms of Art. 5.

ART. 7.

The Exhibition shall comprise—

- (1) one Belgian section;
- (2) as many other sections as foreign Governments there may be officially represented.
- (3) or if preferable, one single section for all foreign nations.

ART. 8.

Foreign Committees should inform the Society's Managing Committee, as soon as possible, what space of ground they may possibly require.

Consequent upon this information, the Managing Committee shall, in concord with the Government Commissioner-General, proceed, without delay, to allot the sites to each foreign section in proportion to their requirements.

This allotment effected, notice shall immediately be given to the Foreign Committees that they may avail themselves of the ground thus assigned to each of them.

ART. 9.

The Exhibition will be open to the works of Belgian and foreign artists that lived up to the 1st August 1880, comprised under one of the five following classifications:—

- (1) Pictures and Paintings.
- (2) Drawing in pencil, Water-colours, and Miniature.
- (3) Sculpture.
- (4) Architecture.
- (5) Engravings and Lithographing.

ART. 10.

The following shall be excluded:—

- (1) Porcelain or Faience Pictures.
- (2) Copies, except such as reproduce a work of art of a different design.
- (3) Art-works sent in by individuals other than the artists themselves, without their authorisation or that of their assigns.
- (4) Art-works included in the above five classifications that may not be duly protected by frames.
- (5) Anonymous works of art.

ART. 11.

The total number of Art-works to be exhibited by Belgian artists should be limited to—

700	under the 1st classification.
100	„ the 2nd „
100	„ the 3rd „
50	„ the 4th „
50	„ the 5th „

ART. 12.

The admission of Belgian Art-works shall be decided by a Jury appointed by the Government and composed of 33 members, of which 16 will be nominated by the Government, 16 by the Society's Managing Committee and the President, who shall be the Government Special Commissioner to the Fine-Arts Universal Exhibition.

Each delegation, the Government and the Society's, should include at least 14 artist-members, five of them to be general painters, three historical painters, two statuary artists, two architects or draughtsmen, and one engraver.

The said Jury shall decide also upon the admission of Art-works from foreign artists whose Governments may not be represented in the Exhibition.

Upon settlement of this affair, the Jury shall determine what Art-works should have the most prominent location. The Jury's decision shall hold good when the quorum shall consist of the majority of their members; but for deciding upon the admission of Art-works the majority should consist of two-thirds of the members present.

Secret balloting shall be granted whenever any Jury-man applies for it.

ART. 13.

For the proper display of Art-works, the Jury appointed according to Art. 12 shall constitute a Committee composed of their President and as many members as they deem necessary, provided the Government and the Society be equally represented between them.

ART. 14.

The Society's Managing Committee shall have made out an official catalogue of the Exhibition.

ART. 15.

Belgian artists shall be allowed carriage free for their goods to and from the Exhibition but only through Belgian railways, exclusive of any dray-carting expenses.

Foreign artists should send in their goods, all charges prepaid, to the Belgian frontier and take advantage of the special tariff No. 10, that is to say, of paying simply full import-fare and no export fare.

Goods from Belgian artists abroad must be sent in, all charges prepaid up to the Belgian frontier.

ART. 16.

General surveillance over the different sections shall be guaranteed by the Society.

The Society's Managing Committee shall attend to—

- (1) the decoration of the whole Belgian Section;
- (2) receiving, unpacking, displaying, repacking, carriage and re-carriage of their Art-works and packages.

Foreign Commissioners shall attend to—

- (1) The decoration and organisation of their Sections.
- (2) The unloading and reloading of wagons, unpacking and repacking of their tapestries, &c., defraying their expenses, carriage and re-carriage of their packages, and special surveillance over their Sections during day-time.

In the management of their Sections, they should carefully look after the proper display of their goods all round, their separate classifications and ornamentations.

They shall enjoy the advantages offered by the special regulations respecting the transport, receiving, arranging, and re-shipping of their Art-works, as well as the advantages offered to foreign exhibitors by the customs tariff in the terms indicated in these regulations by the Belgian Government's General Commissioner.

ART. 17.

The despatch of goods shall be noticed by means of a certificate in triplicate, drawn up after a model to be hereafter forwarded in due time to interested parties, along with precise information as to dates, &c.

The packages of Art-works from foreign artists, whose Government may be represented according to Art. 5, should be labelled to the address of their official Committees: the Society's Managing Committee shall refuse every package not in conformity with this essential condition.

ART. 18.

An international prize-awarding Jury shall be appointed under the Government's auspices, who shall choose from among themselves their Chairman, Vice-chairman, and Secretary.

For every class of goods the number of Jurymen shall be divided between the Belgian and foreign nations in proportion to the number of exhibitors.

ART. 19.

The Committee of each nation officially represented shall nominate what Jurymen they may be entitled to choose as well as their Chairman and Secretaries.

Jurymen that Belgium may be entitled to elect shall be nominated by the Jury of admission in the terms of Art. 13, who shall also name their Chairman and Secretary.

In the same manner they shall elect extra Jurymen to substitute the titular ones in order of seniority or other special attribute, whenever their attendance shall be required by the Jury of the class they may belong to. Their office shall cease when those whom they replace present themselves.

Exhibitors called to serve on the international jury shall not be debarred from competing for the prizes.

ART. 20.

Every international jury for each class of goods shall have a Chairman, Vice-chairman and a Secretary elected by the said jury itself.

In case of equal division of votes, the President (or Vice-president acting for him) shall have the casting vote.

ART. 21.

The nature of rewards shall be subsequently determined.

ART. 22.

The Society shall organise, as usual, with the Government sanction, a lottery of Art-works acquired from among those exhibited by Belgian or foreign artists.

ART. 23.

The Exhibition shall be kept open daily during the hours which the Society's Managing Committee shall fix.

It may, however, be closed under exceptional circumstances, should the Managing Committee deem necessary to do so.

ART. 24.

The entrance fee shall hereafter be fixed by the Society's Managing Committee.

ART. 25.

Exhibitor-artists shall be allowed each one a free ticket for the whole time the Exhibition lasts.

Such tickets shall bear the privileged receiver's signature, and be produced whenever required; if lost, under no circumstance shall they be replaced.

ART. 26.

No Art-work whatever displayed at the Exhibition shall be copied or reproduced in any shape whatsoever, unless the exhibitor or his representative consents to it by means of a special authorisation issued by the Government Commissioner-General.

ART. 27.

Nothing exhibited shall be allowed withdrawal from the Exhibition before its closure, unless the exhibitor produces to that effect a permit in writing from the Government Commissioner-General.

ART. 28.

The goods exhibited shall be returned to the exhibitors, as soon as practicable, unless directed to the contrary after the closure of the Exhibition.

Whatever goods exhibited, unreturned for want of sufficient packing or labels indicative to their return destination, shall be considered given up to the Society, who will dispose of them as they think fit, unless the said goods be claimed within six months by the owners.

ART. 29.

Steps shall be taken to protect the goods exhibited from theft and every kind of damage; but by no means will the Managing Committee be liable to make them good, whatever may be the extent and cause of such damages.

The exhibitors shall be, moreover, free to insure their exhibits for themselves against such losses, should they deem expedient to do so.

ART. 30.

The would-be exhibitors declare hereby to abide by these as well as any other regulations that might be promulgated hereafter.

Antwerp, 15th October 1884.

PIERRE KOCH,

*Secretary to the Royal Society
of Fine-Arts.*

JACQUES CUYLITS,

*President-Royal Society of Fine-Arts and Special
Commissioner to the Belgian Government.*

Approved:

ARTHUR VANDEN NEST,

*Chief Secretary to the
Antwerp Fine-Arts Committee.*

LEOPOLD de WAELE,

*Antwerp College of Burgomaster
and Aldermen.*

Seen and presented:

J. GODY,

*Secretary-General to the Belgian
Government General Commissioner.*

COUNT A. D'OUTREMONT,

*Commissioner-General to the
Belgian Government.*

Sanctioned:

CHEV. DE MOREAU,

*Secretary of State
for Agriculture, Industry and Public Works.
Bruxelles, 31st October 1884.*

ORDER.—Ordered that the above papers be published for general information

Government of Madras.
" Bombay.
" Bengal.
" the North-Western Provinces and Oudh.
" the Punjab.
Chief Commissioner, Central Provinces.
" British Burma.
" Assam.
Secretary for Berar to the Resident, Hyderabad.

tion in the Supplement to the
Gazette of India; and that
copies be forwarded to the
several local Governments and
Administrations noted on the
margin, for publication in the
local Gazettes.

True Extract

T. W. HOLDERNESS,

Officiating Secretary to the Government of India.

GOVERNMENT OF INDIA.
REVENUE AND AGRICULTURAL DEPARTMENT.

REMARKS ON THE REPORT OF THE GEOLOGICAL SURVEY OF INDIA AND
GEOLOGICAL MUSEUM FOR THE YEAR 1884.

Nos. $\frac{76 \text{ \& } 77 \text{ S.}}{47-2.}$

Extract from the Proceedings of the Government of India, in the Revenue and Agricultural Department (Surveys),—under date, Calcutta, the 17th February 1885.

Read—

The Report of the Geological Survey of India and of the Geological Museum for the year 1884, received under cover of the Superintendent's letter No. 56, dated the 2nd February 1885.

RESOLUTION.—As mentioned in the Resolution on last year's report Mr. Foote's deputation to examine the country between Bezvada, the Singareni coal-field, and Hyderabad caused a temporary break in the exploration of the Billa Surgam caves in the Kurnool District. Operations were, however, resumed under Lieutenant H. B. Foote, R.A., and have resulted in interesting discoveries of the remains of animals which no longer inhabit the region, and of human bones and articles of human manufacture, at a depth of 16 feet below the surface. Mr. Foote's explorations were fruitless as regards coal, but resulted in the discovery of a strong lode of rich iron-ore. In the Chhatisgarh coal-fields Dr. King was engaged in exploring for coal near the line of the projected Nagpur-Bengal Railway. Borings are now being sunk under Dr. King's directions. The explorations in progress under Mr. Hughes in the Rewah coal-fields were continued during the year with great success, and an extensive colliery is being opened under his directions from which coal will be conveyed by means of a branch line of railway now under construction from Katni. Geological explorations were commenced by Mr. Bose in the basin of the Upper Mahanadi, regarding the results of which the Superintendent reports unfavourably. Mr. Oldham continued his exploration of the Siwaliks and the outer Himalayan ranges to the north of Dehra-Dun. A full summary of the conclusions tentatively arrived at is given in the Superintendent's Report, as Mr. Oldham's temporary deputation to the Andamans for duty with the Topographical Survey party may delay the publication of his complete report. The results of Mr. Griesbach's observations in the Takht-i-Suleman hills were published during the year, but his work would seem to have been somewhat superficial in character. This officer is now employed with the Boundary Commission. Mr. Mallet was deputed during the year to the Andamans to report on some ores recently discovered, and he took the opportunity to examine the interesting volcanic sites of Barren Island and Narcondam. Advantage was taken of the Aka Expedition to depute Mr. LaTouche to examine the geology of the Aka country, and though the nature of the ground confined him to the rocks in the stream courses, sufficient observations were taken to establish the geological identity of the Aka country with the Dacca country on the east and the Bhutan Duars on the west. Mr. LaTouche also explored the Langrin coal-field on the south-western ridge of the Garo hills and established the existence of an abundant supply of very fair coal on the border of the Sylhet plain.

2. The publications of the Department consisted of memoirs by Messrs. Bose and Fedden on the Lower Nerbudda Valley and Kattiawar respectively, of the usual Records, and of further contributions to the *Palæontologia Indica*. These last were all of a very interesting and important character. Mr. Lydekker brought out five parts of Series X on the Indian tertiary and post-tertiary vertebrata, which have received very high praise from competent authorities.

Dr. Waagen's valuable work on the fossils of the Salt Range was continued by the publication of Parts 3 and 4 of the Brachiopoda of the Productus Limestone. A large fasciculus of Series XIV, descriptive of the tertiary and upper cretaceous fossils of Sind, due to the labours of Professor Martin Duncan and Mr. Percy Sladen, was issued early in the year.

3. The Musuem was enriched during the year by several contributions from the Australian Colonies of collections which had been shown at the Calcutta Exhibition.

4. The administration of the Department was in the hands of Mr. Medlicott for one-half of the year, and of Dr. King, who officiated as Superintendent during Mr. Medlicott's absence on leave, for the remainder.

The thanks of the Government of India are due to both these officers for the manner in which they performed their responsible duties.

ORDER.—Ordered, that the above Resolution be communicated to the Superintendent of the Geological Survey of India for information and communication to the officers of the Department, and also that it be published in the Supplement to the *Gazette of India*.

(True Extract)

T. W. HOLDERNESS,
Offg. Secretary to the Government of India.

GOVERNMENT.

DEPARTMENT OF FIN

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

DISTRICTS.	QUANTITIES PER RUPEE																																				
	Wheat.			Barley.			Rice (best sort).			Rice (common).			Great Millet (Cholum, Jowar), <i>Holcus Sorghum</i> .			Bulrush Millet (Cumbu, Bajra), <i>Pennisetaria Spont.</i>																					
	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.													
S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.												
Ganjam . . . . .	...	12	8	8	13	...	...	...	...	14	10	17	0	...	15	8	17	14	...	...	...	...	...	...	...					
Vizagapatam	18	0	18	0	13	0	...	...	...	10	2	10	2	11	3	12	6	12	6	13	10	22	10	22	10	25	14	22	11	22	11	31	11	
Godavery	12	10	16	3	10	13	...	...	...	11	14	11	14	12	14	14	0	14	0	16	0	25	0	23	0	23	0	...	...	...	...	...
Kistna	12	3	11	0	9	13	...	...	...	16	3	13	8	13	0	17	6	16	5	14	2	20	5	19	13	21	5	...	...	...	...	...
Nellore	9	0	10	5	11	3	...	...	...	13	14	13	14	12	10	16	0	15	0	16	0	20	10	23	0	22	220	14	21	0	...	...			
Cuddapah	11	13	11	0	14	0	...	...	...	11	8	12	0	12	6	12	14	13	8	13	5	23	11	22	14	28	0	23	3	23	3	29	11	
Anantapur	10	5	11	8	11	8	...	...	...	...	...	...	...	...	...	9	11	10	13	13	0	19	5	19	10	33	0	18	13	19	11	30	2
Bellary	12	8	13	6	15	6	...	...	...	10	11	11	3	12	5	11	14	12	6	13	8	19	10	19	10	37	2	17	14	16	14	25	6	
Kurnool	12	11	12	6	10	13	...	...	...	11	6	11	6	11	0	12	2	12	14	11	6	20	8	21	3	34	3	20	0	19	6	35	0	
Madras	10	10	10	10	10	8	...	...	...	11	13	11	10	13	14	13	0	12	13	15	8	21	10	21	10	23	0	23	13	20	13	27	11	
Chingleput . . . . .	...	...	...	...	...	...	...	...	...	12	0	12	0	15	1	12	13	12	13	18	2	...	...	...	...	...	...	18	8	18	8	23	13
North Arcot	9	5	9	5	10	3	...	...	...	11	3	13	2	15	14	12	14	15	0	17	14	20	14	24	10	...	...	22	5	22	5	...	...		
South Arcot	6	10	7	0	8	10	...	...	...	10	6	10	0	15	3	11	13	10	14	17	8	...	...	...	...	...	...	21	3	21	3	30	13
Tanjore	8	13	8	13	11	0	...	...	...	10	13	10	13	19	2	13	6	13	6	20	14	21	220	11	41	5	21	11	21	11	43	8		
Trichinopoly	8	14	8	14	9	3	11	8	9	11	16	3	12	0	10	14	17	0	15	6	33	10	17	13	19	0	35	10
Madura	9	0	8	10	10	14	10	2	10	2	16	13	10	10	10	18	3	19	6	19	6	38	14	23	8	23	8	38	3			
Thiruvallur	9	10	9	10	9	3	...	...	...	9	8	9	8	12	11	11	3	11	3	16	0	...	...	...	...	...	...	...	...	...	...	...	...
Coimbatore	10	11	10	11	13	2	...	...	...	12	10	11	11	14	6	13	2	13	2	15	6	18	5	18	5	27	13	25	0	25	6	31	13	
Milgiri	7	2	8	8	9	3	...	...	...	9	10	9	10	11	3	10	6	10	6	12	0	13	14	13	14	21	10	14	0	14	0	21	11	
Salem	10	3	10	3	13	10	...	...	...	10	13	11	3	15	0	11	5	11	13	18	13	18	3	18	3	29	2	19	11	19	11	29	8	
South Canara	12	14	13	8	10	5	...	...	...	9	11	9	11	7	13	13	11	13	11	13	11	...	...	...	...	...	...	...	...	...	...	...	...
Malabar	9	0	9	0	8	10	...	...	...	13	0	13	3	14	3	13	13	14	0	15	0	...	...	...	...	...	...	...	...	...	...	...	...
Bombay . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Ahmedabad . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kaira . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Surat . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Broach . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tanna (Subetto) . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Colaba (Alibeg) . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Khandesh (Dhulin) . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nasik . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Ahmednagar . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Poona . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Sholapur . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Kal-dgi (Bagalkot) . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Katara	No return	...	received	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Belgaum . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Dharwar (Hubli) . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Intnagiri . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Konara (Kurwar) . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Panch Mahals (Godhra) . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Aden . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Asirgarh . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Baroda . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Dasa . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nimach . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nasirabad . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Jaikot . . . . .	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Upper Sindh Frontier	16	0	16	0	14	8	22	12	22	12	24	0	10	0	10	0	10	0	11	4	11	4	11	4	26	0	26	0	23	8							

ANCE AND COMMERCE.

IN SKERS OF 80 TOLAHS.

d In the sub-divisions the retail prices of salt per rupee were:—(Hathal 14-8 seers, Tumlook 11 seers and Contal 12-8 seers, [†] in common use.
e In the sub-divisions the retail prices of salt per rupee were:—Nannamang 12 seers and Lannanahad 12-8 seers.

PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

DISTRICTS.	QUANTITIES PER RUPEE																				
	Wheat.			Barley.			Rice (best sort).			Rice (common).			Great Millet (Cholam, Jowar), Holcus Sorghum.			Bairush Millet (Cumboo, Bajra), Panicum Spinal.					
	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.
	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
Central Districts.																					
Calcutta	16 4	16 4	15 0	18 8	18 8	18 0	8 4	8 4	7 0	11 8	11 6	11 0	11 10	11 8	10 8	18 0	18 0	18 0	18 0	18 0	18 0
24-Pergunnahs	16 0	16 0	13 5	17 12	18 12	17 8	8 0	8 0	8 0	17 12	17 12	14 8	...	...	...	...	...	...	...	...	...
Nuddea	17 4	17 4	16 0	22 15	35 8	24 8	12 13	12 13	12 6	13 14	13 14	13 5 1/2	...	...	...	...	...	...	...	...	...
Khoolna	...	...	...	...	...	...	16 0	16 0	13 0	18 0	18 0	14 0	...	...	...	...	...	...	...	...	...
Jessore	14 4	14 0	14 8	...	...	...	13 4	13 0	12 12	17 0	17 0	16 8	...	...	...	...	...	...	...	...	...
Moorsheadabad	18 0	17 0	16 0	...	...	...	13 4	13 0	13 0	16 0	16 0	16 0	...	...	...	...	...	...	...	...	...
Dinapore	17 8	17 0	16 0	16 8	16 0	15 0	15 9	15 0	13 4	18 0	17 6	16 0	...	...	...	...	...	...	...	...	...
Rajahmundry	14 4	14 4	16 8	18 12	21 0	24 0	13 8	13 8	10 8	15 0	16 8	15 0	...	...	...	...	...	...	...	...	...
Rangpore	13 12	11 11	10 0	...	...	...	9 0	8 0	10 0	15 0	10 0	13 5	...	...	...	...	...	...	...	...	...
Pogra	15 0	12 0	15 0	...	...	...	12 0	10 8	10 8	17 4	17 4	16 8	...	...	...	...	...	...	...	...	...
Pulna	18 12	19 2	18 0	...	...	...	8 4	8 4	8 0	15 0	14 4	14 4	...	...	...	...	...	...	...	...	...
Farjeshing	10 0	10 0	9 0	9 0	9 0	10 0	5 0	5 0	5 8	11 0	12 0	11 0	...	...	...	...	...	...	...	...	...
Jalpaiguri	13 0	13 0	10 0	20 0	20 0	20 0	13 0	13 0	13 0	16 0	16 0	16 0	...	...	...	...	...	...	...	...	...
Eastern Districts.																					
Dacca	13 0	13 0	15 0	28 0	28 0	16 8	16 0	16 0	12 4	18 0	18 0	14 0	...	...	...	...	...	...	...	...	...
Forcedpore	16 0	16 0	22 0	34 0	34 0	30 0	14 0	14 0	14 0	16 0	16 0	15 0	...	...	...	...	...	...	...	...	...
Buckergunge	...	...	...	...	...	...	13 4	13 4	14 0	18 0	18 0	18 0	...	...	...	...	...	...	...	...	...
Mymensingh	12 8	13 0	13 4	...	...	...	13 0	13 0	10 0	18 12	17 0	16 0	...	...	...	...	...	...	...	...	...
Chittagong	15 0	15 0	13 0	...	...	...	13 0	14 0	13 0	16 0	17 0	18 0	...	...	...	...	...	...	...	...	...
Nonkholy	...	...	...	...	...	...	15 0	16 0	15 0	16 0	16 0	17 0	...	...	...	...	...	...	...	...	...
Tipperah	13 5	12 4	13 5	...	...	...	15 4	16 13	14 12	18 13	18 4	16 4	...	...	...	...	...	...	...	...	...
Chittagong Hill Tracts	...	...	...	...	...	...	12 4	12 4	13 5	13 5	18 5	16 0	...	...	...	...	...	...	...	...	...
Hill Tipperah	12 0	12 0	10 0	...	...	...	14 0	14 0	14 0	20 0	18 0	20 0	...	...	...	...	...	...	...	...	...
Behar.																					
Patna	22 0	22 0	20 0	32 0	32 0	22 0	10 8	10 8	10 10	21 0	21 0	13 0	...	...	...	...	...	...	...	...	...
Gya	18 0	18 8	16 8	25 0	23 0	21 0	9 0	9 8	10 0	14 0	14 0	13 0	...	...	...	...	...	...	...	...	...
Shahabad	20 8	20 0	17 0	24 0	25 0	24 0	9 0	9 0	9 0	15 8	14 0	13 0	20 0	25 0	21 0	...	...	...	...	...	...
Durbhunga	18 11	19 4	13 0	26 4	...	...	11 0	11 0	9 0	14 14	14 14	13 0	...	...	...	...	...	...	...	...	...
Muzafferpore	19 0	20 0	18 0	30 0	24 0	25 0	12 0	13 0	10 0	15 0	16 0	13 8	...	...	...	...	...	...	...	...	...
Sarun	19 8	19 8	18 0	23 0	23 0	24 0	8 4	8 0	9 0	17 8	18 0	13 0	30 0	31 0	23 0	...	...	...	...	...	...
Chumpran	17 0	17 0	17 0	20 0	23 0	...	12 0	12 0	9 0	17 8	18 0	15 0	...	...	...	...	...	...	...	...	...
Monghyr	21 0	23 1	17 13	21 0	21 0	21 0	10 8	11 9	13 1	14 12	15 4	13 10	...	...	...	...	...	...	...	...	...
Bhagalpur	20 3	20 13	16 6	20 3	17 10	20 3	10 11	12 10	10 11	13 14	14 8	12 10	...	...	...	...	...	...	...	...	...
Purneah	18 0	18 0	18 0	...	...	...	15 0	15 0	15 0	16 0	16 0	16 0	...	...	...	...	...	...	...	...	...
Mildah	20 0	20 0	20 0	...	...	...	11 8	12 0	11 0	15 0	15 0	14 0	...	...	...	...	...	...	...	...	...
Southul Pergunnahs	16 0	16 0	17 0	...	...	...	11 8	11 0	14 4	16 0	16 0	17 0	...	...	...	...	...	...	...	...	...
Orissa.																					
Cuttack	22 5	22 5	14 7	...	...	...	13 2	13 2	13 2	19 11	19 11	19 0	...	...	...	...	...	...	...	...	...
Pooree	14 7	17 1	11 13	...	...	...	17 1	16 12	14 7	18 6	21 0	21 0	...	...	...	...	...	...	...	...	...
Balasore	15 0	15 8	14 0	11 0	11 0	...	13 0	13 0	16 0	23 0	24 0	21 6	...	...	...	...	...	...	...	...	...
CHOTA NAAGORE.																					
South-Western Frontier Agency.																					
Hazáribágh	14 8	15 0	14 0	...	15 0	...	11 0	11 8	9 0	18 0	18 0	15 0	...	...	...	...	...	...	...	...	...
Lohardugga	12 0	14 0	14 0	...	...	15 0	18 0	16 0	16 0	22 0	21 0	20 0	...	...	...	...	...	...	...	...	...
Singbloom	20 0	20 0	16 0	20 0	20 0	24 0	20 0	20 0	20 0	24 0	21 0	21 0	...	...	...	...	...	...	...	...	...
Mumbloom	16 0	16 0	14 0	...	...	...	15 0	15 0	15 0	20 0	21 8	21 0	...	...	...	...	...	...	...	...	...

- * The retail price of common rice in the interior ranges from 21 seers to 30 seers and 8 chittacks per rupee.
 f In the sub-divisions the retail prices of salt per rupee were:—Barasat and Bussirhat 13 seers, Barrackpore 13-12 seers, and Dum-Dum 13-8 seers.
 g In the sub-divisions the retail prices of salt per rupee were:—Koochinda 13 seers, Meherpore 12 seers, Choudananga 12-14 seers, and Managhat 12-7 seers.
 h The retail price of salt in the sub-divisions of Satalira and Baginrat was 11 seers per rupee.
 i In the sub-divisions the retail prices of salt per rupee were:—Juchinda and Narail 12 seers, Bongong 13 seers and Margora 10-12 seers.
 j In the sub-divisions the retail prices of salt per rupee were:—Lalbah 11 seers, Jankipore 12-8 seers, and Kauli 12 seers.
 k The retail price of salt at Lalbah was 10 seers, and at Kipore 10 seers per rupee.
 l In the sub-divisions the retail price of salt per rupee was Nattore and Nongong 12 seers.
 m The retail price of salt in the sub-divisions of Ambanda and Anpamari was 12 seers per rupee.
 n The retail price of salt at Barangunge was 13 seers per rupee.
 o The retail price of salt at Karsong was 8 seers, and at Bilgiri 11 seers per rupee.
 p In the sub-divisions the retail prices of salt per rupee were:—Munacungge 12 seers, Moonshigunge 12-4 seers and Narasingge 14 seers.
 q In the sub-divisions the retail prices of salt per rupee were:—Ganauad and Bidanpur 12 seers, and Bhanga 10 seers.
 r In the sub-divisions the retail prices of salt per rupee were:—Patakanai 10-10 seers, Kerozopore 11 seers, and Bhola 10-8 seers.
 s In the sub-divisions the retail prices of salt per rupee were:—Kishotegunge 10-10 seers, Attia 12 seers, Jamsipore 11-4 seers, and Netrokora 12-5 seers.
 t The retail price of salt at Cox's Bazar was 10 seers per rupee.

DIA FOR THE 2nd HALF OF JANUARY 1885—continued.

IN SEERS OF 80 TOLAHS.																														DISTRICTS.		PROVINCE.															
Lesser Millets. Ragi, &c. (Kavara, Vernagu, Sawee, Cherna, Coraloo, Marlu- wa, Ruglee, Pannium Miliacum, &c.									Gram.						Firewood.						Salt.																										
Present fortnight.			Past fortnight.			Corresponding fort- night of 1884.			Present fortnight.			Past fortnight.			Corresponding fort- night of 1884.			Present fortnight.			Past fortnight.			Corresponding fort- night of 1884.			Wholesale prices per maund of 40 seers.						Retail.														
																											Present fort- night.			Past fort- night.			Correspond- ing fortnight of 1884.			Present fort- night.			Past fort- night.			Correspond- ing fortnight of 1884.					
S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.	R.	a.	p.	R.	a.	p.	R.	a.	p.	S.	Ch.	S.	Ch.	S.	Ch.	S.	Ch.													
...	18	4	18	4	17	0	100	0	100	0	90	0	2	12	0	2	12	0	2	12	0	0	13	4	13	4	13	0	Calcutta															
...	17	12	17	12	16	12	100	0	100	0	90	0	3	0	0	3	0	0	3	0	0	0	12	13	12	13	12	13	24-Pergunnahs															
...	22	15	21	5	17	4	2	14	0	3	2	0	3	0	0	0	11	10	11	10	11	10	Nadua															
...	16	0	16	0	16	0	220	0	200	0	200	0	3	2	0	3	2	0	3	4	0	0	12	0	10	8	10	8	Khoulua															
...	17	8	17	0	16	0	120	0	120	0	120	0	3	2	0	3	2	0	3	2	0	0	11	8	11	8	10	12	Jessore															
...	22	0	20	0	18	0	120	0	120	0	120	0	3	1	3	1	3	0	3	0	0	0	12	0	12	0	11	9	Moahobaid															
...	17	8	16	0	18	0	160	0	160	0	120	0	3	2	0	3	2	0	3	4	0	0	12	8	12	8	12	0	Dinagore															
...	20	10	18	12	16	0	...	...	...	...	...	...	3	0	0	3	0	0	3	2	6	13	5	12	12	12	0	Rajahmhyo										
...	21	0	21	0	17	4	...	...	...	...	...	...	3	1	9	4	0	0	...	...	...	12	13	10	0	11	14	Rangpore							
...	16	5	16	0	15	0	100	0	100	0	110	0	3	5	4	3	5	4	3	2	8	12	0	12	0	12	0	Bogra																
...	17	4	16	0	15	0	90	0	90	0	67	8	3	1	0	3	1	0	3	2	6	12	6	12	6	12	6	Pubna																
14	0	12	0	10	0	...	...	...	...	200	0	200	0	200	0	3	1	0	3	1	0	3	2	6	12	6	12	6	12	6	Darjeeling												
...	8	0	8	0	8	0	128	0	128	0	128	0	4	8	0	4	8	0	4	8	0	8	0	8	0	8	0	0	Jalpaiguri															
...	16	0	16	0	13	0	128	0	128	0	128	0	3	4	0	3	4	0	3	4	0	12	4	12	4	12	4	...																
...	16	0	16	0	16	12	80	0	80	0	90	10	3	0	0	3	0	0	3	2	0	13	5	13	5	12	10	Dacca																
...	16	0	16	0	20	0	120	0	120	0	120	0	3	2	0	3	2	0	3	5	0	12	0	12	0	12	0	Farrukhpore																
...	16	4	16	4	17	0	120	0	120	0	120	0	3	2	0	3	2	0	2	11	0	13	0	13	0	13	0	Bickergunge																
...	15	0	15	4	13	4	...	...	...	...	...	...	3	2	0	3	2	0	3	4	0	12	8	12	8	12	4	Mymensingh										
...	14	0	14	0	13	0	120	0	120	0	40	0	2	12	0	2	12	0	3	4	0	13	0	13	0	12	0	Chittagong																
...	8	0	...	...	13	0	...	...	...	...	...	...	3	8	0	3	6	0	3	6	0	10	0	10	0	10	0	Noakholly								
...	15	4	15	10	13	12	...	...	...	...	...	...	3	3	0	3	3	0	3	4	0	12	4	12	4	12	0	Tipperah										
...	320	0	320	0	320	0	4	8	0	4	8	0	4	8	0	8	0	8	0	8	0	Chittagong Hill Tracts																
...	14	0	14	0	14	0	...	...	...	...	...	...	3	4	0	3	4	0	3	4	0	11	0	11	0	11	0	Hill Tipperah										
...	26	4	26	4	21	0	100	0	100	0	100	0	3	0	0	3	0	0	3	1	0	12	0	13	0	10	12	Patna																
...	22	0	22	8	21	0	200	0	200	0	160	0	3	5	0	3	5	0	3	4	0	11	0	11	0	11	0	Gya																
...	24	0	22	0	...	...	120	0	160	0	120	0	3	1	0	3	1	0	3	1	0	12	8	12	8	12	8	Shahabad														
25	0	25	6	19	0	26	4	25	6	17	0	220	0	145	0	3	0	6	3	0	6	3	1	6	12	15	12	15	12	6	Darbhanga																
...	24	0	20	0	18	0	140	0	140	0	140	0	3	4	0	3	4	0	3	4	0	12	0	12	0	12	0	Mozuffarpore																
14	0	23	0	24	0	23	8	22	0	160	0	160	0	160	0	3	2	0	3	2	0	3	3	0	12	0	12	0	11	8	Saran																
...	18	0	18	0	20	0	...	...	...	...	...	...	3	4	0	3	3	0	3	4	0	12	0	12	0	12	0	Chumpran										
...	25	4	26	4	21	0	126	0	126	0	127	0	2	14	6	2	14	6	8	8	0	13	2	13	2	12	9	Monghyr																
...	24	0	25	4	20	3	151	8	164	0	151	8	2	15	0	2	15	0	2	15	6	13	10	12	10	12	10	Bhagalpur																
...	18	0	18	0	17	0	160	0	160	0	160	0	3	10	0	3	10	0	3	10	0	10	0	10	0	10	0	Purneah																
...	19	0	19	0	16	0	160	0	180	0	160	0	3	3	0	3	4	0	3	7	0	12	0	12	0	11	0	Maidah																
...	20	0	20	0	17	0	200	0	200	0	200	0	3	2	0	3	3	0	3	4	0	12	4	12	4	12	0	Sonthal Pergunnahs																
7	1	17	1	17	1	21	0	21	0	80	0	80	0	80	0	2	12	0	2	12	0	2	12	0	14	0	14	0	14	0	Cuttack																
...	18	6	17	1	23	10	80	0	80	0	100	0	2	7	0	2	7	0	2	7	0	15	0	15	0	13	3	Pooree																
...	15	0	15	8	13	0	160	0	200	0	110	0	3	6	0	3	6	0	3	14	0	10	12	10	12	9	0	Balusore																
CHOTA NAGPORE.																																															
South-Western Frontier Agency.																																															
4	0	24	0	20	0	19	0	18	0	16	8	240	0	240	0	3	5	6	3	5	6	3	7	6	11	0	9	10	4	11	0	Hazaribagh															
0	0	40	0	80	0	18	0	16	0	13	0	120	0	120	0	3	6	0	3	6	0	3	9	0	11	0	11	0	10	8	Lohardugga																
...	16	0	16	0	18	0	160	0	160	0	160	0	3	10	0	3	10	0	4	0	9	0	9	0	8	0	8	0	Singbhoon															
...	18	0	18	0	15	8	240	0	240	0	120	0	3	4	0	3	2	0	3	5	0	11	10	11	10	10	0	Manbhoon																

INDIA FOR THE 2nd HALF OF JANUARY 1885—continued.

N SEERS OF 80 TOLAHS.

Lesser Millets, Ragl. &c. (Kavaru, Veragu, Sawee, Cheena, Coraloo, Murhwa, Nunglee). Pant- cum Millicum, &c.			Gram.			Firewood.			Salt.						DISTRICTS.	PROVINCES.
Present fortnight.	Past fortnight.	Corresponding fort- night of 1884.	Present fortnight.	Past fortnight.	Corresponding fort- night of 1884.	Present fortnight.	Past fortnight.	Corresponding fort- night of 1884.	Wholesale.			Retail.				
									Present fort- night.	Past fortnight.	Corresponding fortnight of 1884.	Present fort- night.	Past fortnight.	Corresponding fortnight of 1884.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	R a. p.	R a. p.	R a. p.	S. Ch.	S. Ch.	S. Ch.		
...	14 8	108 0	108 0	108 0	3 5	0 12 8	13 0	12 0	Sylhet	ASSAM.
...	12 13	100 0	100 0	80 0	...	...	3 7	0 10 10	10 10	10 10	Cachar	
...	12 0	13 4	13 4	80 0	80 0	80 0	3 2	6 3	3 4	0 1 12	12 0	12 4	Goalpara	
...	8 0	8 0	8 0	160 0	160 0	160 0	...	...	5 0	0 8 0	8 0	8 0	Garo Hills	
...	11 0	11 0	12 0	160 0	160 0	200 0	3 8	0 3	3 8	0 11 0	11 0	11 0	Kamrup	
...	10 0	200 0	200 0	160 0	...	...	4 8	0 9 0	9 0	8 0	Darrang	
...	8 0	120 0	120 0	120 0	...	...	4 0	0 10 0	10 0	9 0	Nowgong	
...	10 0	160 0	160 0	80 0	...	...	4 8	0 9 0	9 0	8 0	Sibsagar	
...	12 0	160 0	160 0	160 0	4 0	0 3	3 8	0 8 0	8 0	8 0	Lakhimpur	
...	100 0	100 0	80 0	...	...	5 0	0 8 0	8 0	8 0	Khasi & Jaintia Hills	
...	2 0	120 0	120 0	120 0	...	...	16 0	0 3 0	3 0	2 8	Naga Hills	
...	No return received	Dehra Dun	N. W. PROVINCES.
...	Saharanpur	
...	Muzaffargarh	
...	Meerut	
...	Bulandshahr	
...	Aligarh	
...	Kannan	
...	Gorhwal	
...	Iljpur	
...	Moradabad	
...	Buland	
...	Bareilly	
...	Shahjahanpur	
...	Tarai Pergunnahs	
...	Muttra	
...	Agra	OUDH.
...	Farrukhabad	
...	Mainpuri	
...	Etawah	
...	Etah	
...	Jalaun	
...	Jhansi	
...	Lalitpur	
...	Cawnpore	
...	Fatehpur	
...	Banda	
...	Allahabad	
...	Hamirpur	
...	Jaunpur	
...	Gorakhpur	
...	Basti	PUNJAB.
...	Azamgarh	
...	Mirzapur	
...	Benares	
...	Ghaziपुर	
...	Balia	
...	Philibhit	
...	Almora	
...	Sultanpur	
...	Partabgarh	
...	Fyzabad	
...	Khori	
...	Lucknow	
...	Bara Banki	
...	Bahraich	
...	Rai Bareilly	
...	Sitapur	PUNJAB.
...	Gonda	
...	Unao	
...	Hardoi	
...	Gujranwala	
...	Lahore	PUNJAB.
...	Ferozepore	
...	Hissar	
...	Rohitak	
...	Gurgaon	
...	Delhi	PUNJAB.
...	Karnal	
...	Umballa	
...	Ludhiana	PUNJAB.
...	Simla	

PRICES CURRENT OF FOOD GRAINS THROUGHOUT

		QUANTITIES PER RUPEE																							
PROVINCES	DISTRICTS.	Wheat.			Barley.			Rice (best sort).			Rice (common).			Great Millet (Chholun, Jowar, Korua Angyam).			Burrus Millet (Chunoo, Bajra, Pennisetum Spicata)								
		Present fortnight.	Past fortnight.	Corresponding fort- night of 1884.	Present fortnight.	Past fortnight.	Corresponding fort- night of 1884.	Present fortnight.	Past fortnight.	Corresponding fort- night of 1884.	Present fortnight.	Past fortnight.	Corresponding fort- night of 1884.	Present fortnight.	Past fortnight.	Corresponding fort- night of 1884.	Present fortnight.	Past fortnight.	Corresponding fort- night of 1884.						
PUNJAB—continued.	Kangra																								
	Jullundur																								
	Hoshiarpur																								
	Gurdaspur																								
	Amritsar																								
	Sialkot																								
	Gujrat																								
	Jhelum																								
	Rawalpindi																								
	Shalpur	No return received																							
	Jhang																								
	Montgomery																								
	Mooltan																								
	Muzaffargarh																								
	Dera Ghazi Khan																								
	Dera Ismail Khan																								
Bahawalpur																									
Kohat																									
Peshawar																									
Hazara																									
CENTRAL PROVINCES.	Sangor	30 0	30 0	25 0	...	...	...	14 0	13 0	9 0	15 0	14 0	10 0	34 0	35 0	37 0	...	...	...	...	...	...	...	...
	Damoh	31 8	31 8	27 0	...	...	...	17 8	16 8	11 8	18 8	17 8	12 8	...	...	...	...	...	...	...	...	...	...	...
	Jalilpur	26 0	25 0	22 12	20 0	21 0	21 8	15 0	14 0	9 8	17 0	16 0	14 0	31 0	32 0	31 0	24 0	22 0	19 0	...	...	...	...	...
	Mandla	33 0	36 0	25 0	...	...	...	16 0	17 0	16 0	21 0	25 0	21 0	...	...	...	...	...	...	...	...	...	...	...
	Seoni	30 0	31 0	24 0	...	...	...	13 0	13 8	13 8	19 0	19 0	18 0	...	...	...	...	...	...	...	...	...	...	...
	Narsinghpur	23 0	22 0	20 8	...	...	...	11 0	10 8	9 8	14 0	13 8	12 8	30 0	32 0	26 0	22 0	23 0	20 0	...	...	...	...	...
	Hoshangabad	24 12	23 10	18 0	...	...	...	4 8	5 10	4 0	12 6	13 8	11 14	23 236	23 0	22 8	22 8	...	...	...	...	...	...	...
	Nimr	27 13	27 13	18 9	...	...	...	12 9	12 9	12 9	17 0	17 0	14 14	30 0	30 0	22 8	24 0	24 0	24 0	...	...	...	...	...
	Betul	24 0	27 0	17 0	...	...	...	14 0	14 0	12 0	15 0	15 0	13 0	30 0	30 0	20 0	...	...	...	...	...	...	...	...
	Chhindwara	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Wardha	27 0	27 0	24 0	...	...	...	9 0	9 0	9 0	13 0	13 0	12 0	27 0	27 0	27 0	...	...	...	...	...	...	...	...
	Nagpur	27 4	25 12	23 8	...	...	...	10 4	9 12	9 12	17 4	14 12	14 12	27 12	25 12	26 12	19 12	19 12	19 1	...	...	...	...	...
	Chanda	26 0	26 0	21 8	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Bhandara	26 0	26 8	21 0	...	...	...	9 0	11 8	11 4	20 0	18 8	18 12	23 0	21 8	31 0	...	...	...	...	...	...	...	...
	Balaghat	25 0	25 0	19 0	...	...	...	16 0	16 0	15 0	24 0	24 0	20 0	...	...	...	...	...	...	...	...	...	...	...
	Rajpur	38 0	36 0	26 0	...	...	...	15 0	15 0	14 0	25 0	26 0	25 0	...	...	...	...	...	...	...	...	...	...	...
Bilaspur	62 2	53 0	38 0	...	...	...	26 4	26 2	33 0	45 10	35 8	39 0	...	...	...	...	...	...	...	...	...	...	...
Sambalpur	No return received			...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
BURMA.	Arakan Division.			6 6				12 0	12 0	11 8	17 8	17 0	14 0												
	Akyab																								
	Northern Arakan	No return received						19 2	18 0	10 6	21 0	19 8	11 4												
	Kyaukpoo							22 14	22 14	17 2	33 9	33 9	19 2												
	Sandowny																								
	Pegu Division.							14 2	12 4	14 0	16 0	12 12	14 12												
	Rangoon Town	17 0	16 4	12 5				9 14	7 9	7 9	13 6	10 1	10 1												
	Pegu							14 4	14 4	7 2	17 13	17 13	7 14												
	Tharawaddy							14 15	13 7	14 15	17 2	17 2	17 2												
	Pyaw	19 7	19 7	10 6																					
	Irrawaddy Division.							19 11	16 14	14 10	22 3	18 0	16 9												
	Bassein							14 5	14 5	11 15	19 8	19 8	15 10												
	Henzada							9 6	9 6	9 6	9 12	9 12	10 7												
	Thonegwa							9 6	9 6	8 10	12 7	13 7	12 3												
	Thayemyo	12 1	21 1	8 7																					
	Tenasserim Division.																								
Moulmein Town & Amherst	9 0	9 0	9 0				11 8	9 11	10 8	13 8	12 2	13 8													
Tavoy							13 12	13 12	13 12	17 15	17 15	19 6													
Mergui							16 4	16 4	15 6	20 8	18 14	20 8													
Toungoo							10 10	10 10	10 10	12 12	12 14	12 13													
Shwaygyin	33 10	33 10	36 1				10 10	10 10	11 9	12 7	12 7	12 7													
Salween	No return received																								
SOUTH INDIA.	Secunderabad	15 15	15 15	16 5				7 14	7 14	8 12	11 11	11 11	11 4	18 12		17 12	18 13								
	Bolarum	17 1	17 1	18 1				8 13	8 13	9 0	10 11	10 11	11 7	18 8	18 1	19 5									
	Chuddeghat	11 8	11 8	12 0				8 0	8 0	7 8	9 8	9 8	10 0	17 8	17 0	17 0	20 0	23 0	24 0	...	...	...	...	...
	Amrati	23 8	23 0	19 0			11 0	7 12	7 0	8 0	10 0	10 0	10 0	27 0	26 0	24 0	18 0	18 0	16 0	...	...	...	...	...
	Akola	26 0	26 0	20 0				8 5	8 0	8 0	10 0	10 0	10 0	28 0	28 0	23 0	21 0	21 0	20 0	...	...	...	...	...
	Ellichpur	22 0	22 0	18 0	6 0	6 0	10 0	8 0	8 4	8 0	11 0	11 0	10 0	27 0	26 0	23 0	22 0	21 0	18 0	...	...	...	...	...
	Buldana	26 0	26 0	20 0							12 0	12 0	12 0	30 0	34 0	23 0	24 0	24 0	23 0	...	...	...	...	...
	Wain	28 8	28 0	20 0				9 0	9 0	8 0	14 0	14 0	11 8	39 4	37 4	27 0			

DIA FOR THE 2nd HALF OF JANUARY 1965—continued.

SEERS OF 80 TOLAH.

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PRICES CURRENT OF FOOD-GRAINS THROUGHOUT

PROVINCE.	DISTRICTS.	QUANTITIES PER RUPEE																							
		Wheat.			Barley.			Rice (best sort).			Rice (common).			Great Millet (Choum, Jowar), Holcus Sorghum.			Burrhus Millet (Cumbao, Bajra) Pennisetum Spica								
		Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.	Present fortnight.	Past fortnight.	Corresponding fortnight of 1884.
		S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.
MYSORE.	Bangalore	No return received																							
	Kolar																								
	Tumkur																								
	Mysore																								
	Shimoga																								
	Kadur																								
COORG.	Coorg	9 7	9 11	8 14	9 8	9 12	10 0	13 12	12 13	14 14	17 5	16 10	20 15	...	...	...	...	...	...	...	...	...	...	...	...
	Jeypore	18 0	18 0	16 0	28 0	29 0	26 0	6 0	6 0	6 0	9 8	10 0	8 0	32 0	27 0	20 0	28 0	26 0	21 0	...	...	...	...	...	...
	Kishengurh	19 8	19 8	16 0	28 8	28 8	24 0	9 0	9 0	9 0	10 0	10 0	10 0	28 8	28 8	8 21	8 24	0 24	0 19	...	...	...	...	...	...
	Kerrowlee	21 9	20 10	18 8	23 12	35 0	26 14	15 0	15 0	10 0	16 4	16 4	10 10	30 15	31 0	26 4	4 26	4 26	4 21	...	...	...	...	...	...
	Ulwur	19 7	19 6	18 0	29 13	30 9	24 2	10 5	6 12	8 0	12 8	10 2	10 8	34 7	34 3	22 1	29 9	28 2	2 20	...	...	...	...	...	...
	Bhursipore (City)	19 7	19 7	18 11	29 8	28 4	23 11	7 2	7 2	7 12	7 6	9 0	9 6	29 12	28 6	22 11	15 30	0 22	1	...	...	...	...	...	...
	Ajmere	19 0	19 0	15 8	29 0	28 0	23 0	3 0	3 0	5 0	8 0	8 0	8 0	30 0	29 0	21 0	23 0	22 0	19	...	...	...	...	...	...
	Deoli Cantonment	No return received																							
	Erinpura																								
	Sirohee																								
	Abu																								
	Anadra																								
RAJPOOTANA.	Balmere	No return received																							
	Jeyasimere																								
	Hilly Tracts of Meywar	21 0	20 0	15 5	20 0	22 0	17 8	...	...	...	14 0	14 0	13 0	...	...	...	...	...	...	...	...	...	...	...	...
	Meywar (Oodeypore)	23 18	23 0	12 12	...	...	...	9 6	10 0	9 12	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Bandia	23 0	23 0	12 12	...	...	...	9 6	10 0	9 12	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Banswara (Meywar Agency)	33 12	32 8	18 12	...	...	...	12 8	8 9	10 0	22 8	20 0	16 4	...	...	...	...	...	...	...	...	...	...	...	...
	Partabgarh	27 10	27 0	15 15	...	...	...	10 0	10 0	10 0	18 7	13 7	11 14	...	...	...	...	...	...	...	...	...	...	...	...
	Marwar (Jodhpore)	No return received																							
	Bikaner																								
	Boondsee																								
	Kotah																								
	Tonk																								
CENTRAL INDIA.	Jhallowar	28 8	28 5	19 14	51 11	51 11	23 14	...	...	...	11 13	11 13	10 3	40 1	37 13	29 14	25 2	25 2	17	...	...	...	...	...	...
	Shahpore	No return received																							
	Dholpur																								
	Indore																								
	Gwalior																								
	Goona																								
	Baghelkhand (Sutna)																								
	...																								
	...																								
	...																								

DEPARTMENT OF FINANCE AND COMMERCE,
(Statistical Branch.)

LA FOR THE 2nd HALF OF JANUARY 1885 —concluded.

LEERS OF 80 TOLAHS.

Near Mills, East, S. (Kavara, Yerran, Sree, Chama, Coraico, Turbua, Nurico), Penn. in 2 (Kilacoon, &c.)			Gram.									Firewood.									Salt.												Districts.			
Present fortnight.			Past fortnight.			Corresponding fortnight of 1884.			Present fortnight.			Past fortnight.			Corresponding fortnight of 1884.			Present fortnight.			Past fortnight.			Corresponding fortnight of 1884.			Present fortnight.			Past fortnight.				Corresponding fortnight of 1884.		
S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.	S. Ch.				
...	Bangalore		
...	Kolar			
...	Tumkur			
...	Mysore			
...	Shimoga			
...	Kadur			
...	Coorg			
...	Jeypore			
...	Kinshengurh			
...	Kerrowlee			
...	Ulwur			
...	Bhurspore (Clay)			
...	Ajmera			
...	Deoli Cantonment			
...	Eripnra			
...	Sirohee			
...	Abu			
...	Anadra			
...	Dalmere			
...	Jaysalmere			
...	Hilly Tracts of Meywar			
...	Meywar (Oodeypore)			
...	Banswara (Meywar Agency)			
...	Partabgarh (
...	Marwar (Jodhpore)			
...	Bikaner			
...	Boondee			
...	Kotah			
...	Tonk			
...	Jhallawar			
...	Shahpoora			
...	Dholpur			
...	Indore			
...	Gwalior			
...	Goona			
...	Baghelkhand (Satan)			

* Eight ples per bundle.

D. BARBOUR,
Secretary to the Government of India.

GOVERNMENT OF INDIA.
DEPARTMENT OF FINANCE AND COMMERCE.

SENT TO THE STATEMENTS OF PRICES CURRENT OF FOOD-GRAINS FOR THE 2nd HALF OF JUNE AND DECEMBER 1884 AND 1st HALF OF JANUARY 1885, PUBLISHED IN PAGES 118 1119, AND 76. 77, 82, 88, 178, 179, OF THE SUPPLEMENT TO THE "GAZETTE OF INDIA," DATED 26th JULY 1884, 24th JANUARY AND 1 FEBRUARY 1885.

[illegible]

RECEIVED

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
RAILWAY TRAFFIC.

No. XXXVIII of 1884-85.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest Return received.	Railways.	Total length open.	RECEIPTS FOR LAST 8 DAYS OF DECEMBER 1884.		Total length open.	RECEIPTS FOR LAST 11 DAYS OF DECEMBER 1884.		TOTAL RECEIPTS FROM 1ST APRIL TO 31ST DECEMBER 1884.		TOTAL RECEIPTS FROM 1ST APRIL TO 31ST DECEMBER 1884.		Total Increase in 1884-85.	Total Decrease in 1884-85.
			Total.	Per mile open.		Total.	Per mile open.	Total.	Per mile open per week.	Total.	Per mile open per week.		
24th Jan. 1885	<i>Guaranteed.</i> Oudh and Rohilkbund .	547	1,44,297	264	594	1,46,445	247	42,66,358	197	37,53,494	169		5,12,800
24th ditto	Sind, Punjab, and Delhi	754	3,24,762	431	706	3,19,316	451	83,39,475	285	80,15,192	279		3,24,283
24th ditto	Madras	861	2,06,940	240	861	2,25,233	262	50,16,489	147	52,88,750	155	2,72,261	
24th ditto	South Indian . . .	655	97,792	149	654	80,318	123	30,10,744	116	31,80,676	123	1,69,932	
31st ditto	Great Indian Peninsula	1,458	8,77,161	602	1,504	8,80,236	585	2,44,02,941	424	2,43,31,000	421		71,941
24th ditto	Bombay, Baroda, and Central India . . .	461	3,24,723	704	461	3,82,137	829	88,19,889	443	88,28,693	484	8,804	
	TOTAL	4,736	19,75,675	417	4,780	20,32,685	425	5,38,55,896	284	5,33,97,809	286		4,58,087
31st Jan. 1885	<i>State.</i> East Indian	1,509	12,27,120	813	1,509	12,76,405	846	3,74,17,155	626	3,08,50,609	517		65,66,546
24th ditto	Eastern Bengal . . .	293	1,85,181	795	233	2,05,569	882	39,44,025	475	29,79,841	328		9,64,184
24th ditto	Nallhati	27	1,657	61	27	1,846	68	59,532	55	57,651	54		1,881
24th ditto	Northern Bengal . .	239	86,668	363	249	1,00,000	402	16,54,304	177	16,73,807	170	91,503	
24th ditto	Kaunia-Dharia . . .	32	5,285	165	37	5,682	154	92,404	73	1,09,270	78	16,866	
24th ditto	Tirhoot	193	22,891	119	226	32,721	145	6,84,631	102	9,23,784	113	2,39,157	
31st ditto	Patna-Gya	57	12,939	216	57	14,253	250	3,40,740	151	3,93,208	174	52,463	
24th ditto	Cawnpore-Achnera . .	138	16,683	121	240	29,806	124	4,23,542	78	7,14,401	75	2,90,859	
31st ditto	Dildarnagar-Ghazipur .	12	1,148	96	12	1,244	104	34,795	73	35,077	74	382	
31st ditto	Rajputana-Malwa . . .	1,117	3,95,402	354	1,120	4,54,040	405	94,07,022	213	90,62,403	204		3,44,619
31st ditto	Rewari-Ferozepur . . .	89	14,187	159	241	34,220	142	2,69,118	76	5,94,129	87	3,25,011	
24th ditto	Wardha Coal	45	17,738	394	45	33,484	744	5,28,734	297	4,57,516	257		71,218
24th ditto	Nagpur and Chhattisgarh	149	30,509	205	149	34,543	232	8,64,333	140	8,82,140	149	17,807	
24th ditto	British Burma	161	32,591	202	254	43,530	171	10,24,428	161	14,34,840	152	4,10,412	
31st ditto	Sindia	75	10,798	144	75	17,064	223	2,51,898	85	2,65,192	89	13,294	
24th ditto	Punjab Northern . . .	421	92,003	219	447	93,569	209	23,97,289	144	24,27,880	137	30,591	
31st ditto	Indus Valley	660	1,80,833	274	660	1,96,000	297	53,93,767	207	57,33,349	219	3,39,582	
24th ditto	Amritsar-Fathankot . .				66	8,552	129			1,65,692	67	1,65,692	
17th ditto	Barcilly-Pilibhit . . .				36	1,248	35			(a) 5,328	16	5,328	
	TOTAL	3,648	11,05,913	303	4,174	13,07,371	313	2,73,70,562	192	2,79,15,507	169	5,44,945	
	GRAND TOTAL (GUARANTEED AND STATE)	9,893	43,08,708	436	10,463	46,16,461	441	11,86,43,613	304	11,21,63,925	272		64,79,688
	GROSS ESTIMATED EXPENSES							5,90,31,985	151	6,01,09,707	146		
	NET RECEIPTS							5,96,11,628	153	5,20,54,218	126		75,67,410
24th Jan. 1885	<i>Assisted Companies.</i> Bengal Central	59	4,188	80	126	14,014	111	87,115	61	3,58,331	72	2,60,246	
17th ditto	Rohilkhand & Kumaon . .				67	1,785	27			(b) 12,588	21	12,588	
17th ditto	Assam,	40	1,982	50	70	5,788	83	45,385	51	1,69,179	64	1,23,794	
24th ditto	Southern Mahratta . . .				214	19,332	90			1,95,726	41	1,95,726	
24th ditto	Bengal and North-Western				75	2,810	37			68,777	25	68,777	
	TOTAL	99	6,170	67	552	43,730	79	1,32,500	57	8,02,601	41	6,70,101	
24th Jan. 1885	<i>Native States.</i> Bhavnagar-Gondal . . .	193	18,371	95	193	27,390	142	6,74,221	88	8,43,618	110	1,69,397	
31st ditto	Jodhpur	19	868	46	44	3,420	78	29,000	39	48,549	32	19,549	
24th ditto	Nizam's	121	36,766	304	121	26,206	217	6,35,768	132	7,20,109	150	84,341	
24th ditto	Mysore	86	8,011	93	140	11,521	82	2,37,299	70	2,84,746	65	47,447	
24th ditto	Rajpura-Patla				16	1,393	87			(c) 5,608	44	5,608	
	TOTAL	419	64,036	153	514	69,870	136	15,76,288	95	19,02,630	100	3,26,342	

N.B.—As regards the figures in column "Total receipts from 1st April 1884 to 1"

(b) Total receipts from 2nd November to 31st December 1884.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR
THE WEEK ENDING THE 18th FEBRUARY 1885.

GENERAL REMARKS.—Rain has fallen in several districts in Bengal and in the Central Provinces, in two or three places in the Punjab, at Gauhati and Dibrugarh in Assam, and in Ganjam in the Madras Presidency. The fall has been of benefit to the crops in Bengal, but in some places in the Central Provinces it has caused slight damage.

In Madras and Mysore prospects remain unchanged. In Coorg threshing of rice is almost complete. The *rabi* harvest continues in places in Bombay, and prospects are good. In Hyderabad, Central India, and Rajputana agricultural prospects continue satisfactory. The prospects of the *rabi* are excellent in the Punjab. In the North-Western Provinces and Oudh prospects are still favourable, though in some districts the crops have suffered from blight and insects. In Partabgarh the opium crop has been considerably damaged by hail. Cloudy weather prevails in the Central Provinces and is not favourable to the crops. In the southern districts wheat is fast ripening, and linseed harvesting is in progress.

In Bengal the *rabi* harvest continues and lands are being prepared for the coming crops. In the Gya District 637 persons are employed on road works and there are 38 persons on the relief register. In Assam standing crops are doing well; mustard and sugarcane are being cut and ploughing for the ensuing crop has commenced. In British Burma the rice harvest is over and crops are being housed.

Cholera is increasing in Travancore but abating in Coimbatore and Tanjore. Smallpox exists in several provinces, otherwise the public health is generally good; prices are generally stationary.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Madras—(Feb. 18th)		
Bellary	<i>Nil</i>	Standing crops, dry crops generally and wet crops in parts, withering from want of rain; harvest paddy and dry grains, yield below average.
Kurnool	"	Standing crops good except in one division and in parts of 3 taluks where they are withering from want of rain; harvest <i>cholum</i> and pulses, outturn below average; smallpox and cattle-disease exist.
Ganjam	Average 37	Fever prevalent; cattle-disease slight.
Kistna	<i>Nil</i>	Standing crops good; river 05 ft. over anicut; fever and smallpox exist; 12 deaths from cholera.
Chingleput (Madras) . .	"	Standing crops in parts of 3 taluks affected by insects; harvest paddy, outturn below half the average; smallpox and cattle-disease exist; cholera abating, 41 deaths.
Coimbatore	"	Standing crops wet good, dry fair in 4 taluks, elsewhere failing; harvest wet and dry grains, outturn wet average, dry generally below average; fever exists; cholera abating, 153 deaths.
Tanjore	"	Standing crops generally good; harvest wet and dry crops, outturn below average; cholera abating, 182 deaths.
Madura	"	Fever prevalent; 59 deaths from cholera.
Malabar	"	Harvest of second crop paddy nearly over; operations for third rice crop in progress; fever exists; smallpox and cattle-disease slight; 55 deaths from cholera.
Travancore	"	Harvest second crop paddy almost over; smallpox and fever prevalent; cholera increasing, 31 deaths at Trevandrum.
		<i>General Remarks.</i> —General prospects fair except in parts of Bellary and Anantapur.
Bombay—(Feb. 18th)		
Karachi	<i>Nil</i>	River at Kotri on 3rd 7 feet against 3 feet 10 inches on same date last year; fever in seven talukas; cattle-disease in three talukas; loss of 47 buffaloes, 44 cows and bullocks; cholera cases during the week—in Sakro 9 cases, 6 deaths, and Ghorabari 24 cases, 16 deaths; 9 cases of smallpox remaining in Karachi; disease in 32 villages in the districts, 45 fresh cases, 5 deaths, 33 remaining sick; <i>rabi</i> crops coming on well; prices—wheat, red rice, and <i>bajri</i> in Karachi 13, 28, and 40; in Dadu 40, 32, and 44; in Tatta 28, 40, and 44; and in Sajawal 26, 42, and 42 lbs. per rupee respectively.
Hyderabad	"	River at Kotri on 12th 7 feet against 3 feet 11 inches on same date last year; <i>rabi</i> crops of 4 talukas good; fever in two and smallpox in one taluka; measles in Hyderabad; prices of grain steady.
Ahmedabad	"	Cotton crops middling, other crops healthy; slight fever in Dholka; wheat 32 and <i>bajri</i> 33 lbs. per rupee.
Baroda	"	Public health fair; fever in Kadi Division; standing crops in good condition; prices— <i>bajri</i> 34 and rice 24 lbs. per British rupee.
Surat	"	Standing crops healthy; cotton-picking commenced; fever in Bardoli, Pardi, and Maudvi talukas; <i>jowari</i> 38 and <i>nagli</i> 44 lbs. per rupee.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay—contd.		
Nasik	Nil	<i>Rabi</i> crops generally good; slight injury to crops by mildew in Sinnar, Chandor, and Baglan, and by rats in Malegaon; public health generally good; 18 cases of cholera in Nasik city and 35 in Trimbak, 2 fatal in city and 13 in Trimbak; wheat 37, <i>bajri</i> 36½, and rice 24 lbs. per rupee.
Colaba (Bombay)	"	Average abnormal temperature 3° cool; vapour in air defective on 11th and from 15th to 17th; abnormal wind northerly on 11th and southerly on 13th.
Poona	"	<i>Rabi</i> crops generally good; reaping in progress in four talukas; cattle-disease in places at Khed and Sirur talukas; three fatal cholera cases in Junnar taluka; <i>bajri</i> 33 and <i>jowari</i> 41, in Poona <i>bajri</i> 30 and <i>jowari</i> 35 lbs. per rupee.
Ahmednagar	"	Reaping of <i>rabi</i> continues; public health good; <i>jowari</i> 44 to 72 and <i>bajri</i> 38 to 48 lbs. per rupee.
Sholapore	"	Reaping of <i>rabi</i> crops general throughout the district; <i>jowari</i> 41 lbs. 20 tolas and <i>bajri</i> 38 lbs. 12 tolas per rupee.
Dharwar	"	Harvesting of wheat and gram in progress; exotic cotton blighted in some villages of 8 talukas; scarcity of fodder in Navalgund, Nargund, Mundargi, and Karajgi; that of drinking water in Nargund, Bankapur, Hungai, Karajgi, and Kod; slight fever in Raebennur and Kod talukas; rice 23 to 32 and <i>jowari</i> 37 to 56 lbs. per rupee.
Kanara	"	Weeding and transplanting second crop rice plants; sugarcane harvest on coast; fever subsiding; smallpox, 3 deaths in Supa and 2 in Sirsi; cattle-disease in Supa; common rice in Karwar and in district average 14 seers per rupee.
Rajkot	"	General health good; smallpox among cattle continues in Dedan <i>bajri</i> 34 and <i>jowari</i> 42 lbs per rupee. <i>General Remarks.</i> — <i>Rabi</i> harvest continues in parts of five districts; standing crops slightly injured in a few places, but generally in good condition; gram, wheat and cotton withered in parts of Kadadgi; scarcity of fodder and drinking water continues in several talukas of Dhurwar and Belgum and of fodder in parts of Kaladgi; cholera and cattle disease in parts of six districts; smallpox in parts of ten and fever in parts of fifteen districts.
Bengal—(Feb. 17th)		
Chittagong	Nil	Weather cloudy; winter crops are promising well; prices of food-grains stationary; sporadic cases of cholera prevail throughout the district.
Dacca	15	Prospects of crops good; <i>mung</i> and mustard are being gathered; sowing of <i>boro</i> paddy nearly completed; a good deal of smallpox in the district.
24-Pergunnahs	11	Prospects of winter crops good, harvesting of which is going on; price of common rice varies from 15½ to 17½ seers per rupee; public health generally good.
Moorsshedabad	26	Weather changeable with occasional showers of rain; prospects of <i>rabi</i> crops are generally favourable, but in some parts they have been damaged by a severe hailstorm; common rice is selling at from 14 to 16½ seers per rupee; public health good.
Burdwan	Nil	Some rain fell in the sub-divisions of Cutwa and Raicegunge; prospects of <i>rabi</i> crops good and the rain has improved them; price of rice stationary; public health good.
Rungpore	"	Price of food-grains stationary; public health good.
Bhagalpore	"	Prospects of crops good; price of rice stationary.
Purneah	"	Standing crops promise fairly well; rain is wanted for wheat, specially for later sowings; ploughing for <i>bhadoi</i> paddy is progressing; common rice is selling at 16 seers per rupee; public health fair rivers low.
Patna	"	Reaping of <i>rabi</i> crops is pushed on; insects have eaten up peas and particularly injured gram; opium is being collected.
Durbhanga	Nil	<i>Rabi</i> crops are rapidly ripening; prospects of poppy continue favourable; harvesting of mustard is in progress; prices of food grains are slightly falling; general health good.
Hasaribagh	35	Weather cold; the rain has done much good to <i>rabi</i> crops; smallpox still reported from the interior, otherwise general health good.
Cuttack	Nil	Weather cloudy; reaping of <i>sarad</i> completed with an average outturn; standing crops are doing well; price of rice stationary; fever prevails; isolated cases of cholera are reported from the interior, otherwise health good.
Midnapore	1	Weather cloudy and cool; standing crops are doing well; a few sporadic cases of cholera and smallpox are still reported.
Khulna	"	Slight rain; weather cloudy and cold; <i>aman</i> paddy almost stored, outturn good; winter crops are promising; prices of food grains stationary; public health good.
Dinapore	Nil	Prospects of winter crops good; land is being prepared for <i>bhadoi</i> crops; price of rice varies from 11 to 20 seers per rupee; sporadic cases of cholera prevail in two thanas.
Pubna (Serajgunge)	06	Weather colder than before; the late rain has done some good to standing crops; some <i>rabi</i> crops have been gathered; rain is still wanted; price of rice stationary; public health good.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bengal—contd.		
Gya	22	Weather fair and cool; the late cloudy weather injured <i>rabi</i> crops to some extent; prices of food grains normal; poppy is in flower; 637 persons are on road works and 38 persons on relief register; public health good.
Chumparun	Nil	Prospects of <i>rabi</i> and poppy crops continue favourable; prices stationary; public health fair.
Shahabad		Weather is unfavourable to poppy crop; blight has increased.
Mozufferpore		Condition of poppy crop is good; collection of opium has commenced.
Sarun		Poppy crop has been seriously damaged by blight; collection of opium has commenced.
Moghhyr		Prospects of poppy continue good, and opium is being collected.
		<i>General Remarks</i> —There has again been some rain in a considerable number of districts throughout the province; it has benefited the standing crops generally; harvesting of <i>rabi</i> crops is going on, and sowing operations of <i>boro</i> paddy are nearly completed in Dacca; lands are being prepared for the ensuing crops; prices of food-grains almost stationary; cholera and smallpox prevail in many districts.
N.-W. Provinces and Oudh—(Feb. 19th)		
Begara (Feb. 17th)	No rain	Crops doing well; peas, barley, and wheat cropped; estimated output, 12-anna crop; opium doing well; bazars well supplied; prices moderate; no sickness of men or cattle.
Gorakhpur („ 16th)	Nil	Sky cloudy; fine weather wanted; crops good; opium season commencing; trade still dull; prices stationary; health good.
Fyzabad („ 17th)	No rain	Weather clear; crops in splendid condition, and prospects good; prices almost stationary; slight cattle-disease in two tahsils; general health good.
Lucknow („ 16th)	„	Weather cold; strong west wind; wheat and <i>sarson</i> crops suffering from blight; <i>arhar</i> and peas somewhat damaged by frost; poppy in flower; opium-extracting commenced; supplies sufficient; prices steady; health of people good, as well as the condition of cattle.
Rai Bareilly („ „)	Nil	Weather cold and at times cloudy; <i>rabi</i> prospects good; markets well supplied; prices steady; public health and condition of cattle generally good.
Partabgarh („ 17th)	„	Variable winds with clouds; insects have attacked wheat and to a less extent barley; reports now received show that opium suffered considerably from hail; prospects on the whole still favourable.
Allahabad („ „)	No rain	Weather clear and unusually cold; on the whole prospects excellent; though wheat and gram a little injured on account of previous cloudy weather; prices stationary; health good.
Cawnpore („ „)	„	Weather cold; crops slightly injured by blight and insects; sowing of extra crops continues; poppy partially in flower and crops on the whole flourishing; prices easy; smallpox has appeared in one pargana; cattle in good condition.
Banda . („ 16th)	Nil	Weather clear; crops flourishing where not damaged by hail of the 27th January; prices stationary; no distress.
Ballia . („ 16th)	„	Weather occasionally cloudy; <i>rabi</i> prospects favourable; pea crop being cut; condition of cattle and market satisfactory; health good.
Farakhabad („ 17th)	„	Some damage is reported to have been caused to wheat by the <i>germa</i> insect; slight fever in two tahsils.
Sitapur . („ „)	„	Weather clear; high west wind occasionally; prospects good; collection of opium commenced in pargana Mirik; health good.
Bareilly . („ 16th)	„	Crops good; sugarcane about half cut, everywhere good; weather cold.
Kumaon . („ „)	No rain	Weather cold; crops doing very well but require sun; prices stationary; general health good; reports of fever in several villages in different parts of the district; cattle-disease continues.
Agra . („ 17th)	„	Weather cloudy, unfavourable to crops; prices steady; health good.
Jhansi . („ „)	„	Mildew has appeared in places, otherwise the <i>rabi</i> and opium crops are good; prices rising; health of people and cattle good.
Meerut . („ 16th)	Nil	Weather cold; crops flourishing; supplies sufficient; prices steady; health good.
		<i>General Remarks</i> .—Weather cold; some crops have suffered in places from blight and insects, and opium in Partabgarh from hail; general prospects are however still favourable; prices continue steady, and the general health is good.
Punjab—(Feb. 18th)		
Delhi	No rain	<i>Rabi</i> crops promising; health fair; prices almost stationary.
Hissar	„	<i>Rabi</i> crops flourishing; health good; prices stationary.
Umballa	„	<i>Rabi</i> crops flourishing; health and prospects good; prices stationary.
Jallundur	„	Health and prospects of coming crops good; prices stationary.
Amritsar	„	Health and state of crops good; prices almost stationary.
Sialkot	„	Health and crop prospects good; prices stationary.
Ferozepore	„	Health and state of crops good; prices stationary.
Lahore	„	Health good; state of crops fair; prices slightly rising.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Punjab—contd.		
Rawalpindi	Slight rain	Health and <i>rabi</i> prospects good; prices slightly falling.
Shahpur	Rain in Shahpur and Bhera tahsils.	Some cases of mouth and foot disease among cattle in Khushat tahsil; prices stationary.
Mooltan	No rain	Health and crop prospects good; prices stationary.
Dera Ismail Khan	"	Health and prospects good.
Peshawar	"	Health and <i>rabi</i> prospects good; prices stationary.
		<i>General Remarks.</i> —Slight rain in Rawalpindi and Shahpur districts; some cases of mouth and foot disease among cattle in Khushat tahsil, Shahpur district; health and prospects in rest of province good; prices slightly rising in Lahore and falling in Rawalpindi districts; stationary in other districts.
Central Provinces— (Feb. 18th)		
Nagpur	0.57	Weather cloudy; prospects favourable; gathering of wheat and linseed in progress; smallpox and cattle-disease in three tahsils; prices steady.
Jubbulpore	0.27	Weather cloudy but now clear; rain not wanted; prospects of <i>rabi</i> fair; health good; wheat 28 and rice 18 seers per rupee.
Saugor (Feb. 17th)	Nil	Weather cloudy; wheat and linseed attacked by mildew owing to excess of clouds; health good; prices easy.
Seoni	1.13	Weather cloudy, if this continues there is probability of some damage; reaping of <i>musur</i> and <i>teora</i> progressing; slight smallpox and cattle-disease; prices stationary.
Hoshangabad	Nil	Weather seasonable; prospects of crops fair; gerva visible on wheat, but very little damage expected; slight smallpox; prices stationary.
Khandwa	"	Mornings and nights cool, days warm; reaping of <i>rabi</i> commenced; health good; rice 17, wheat 28½, and <i>juar</i> 31½ seers per rupee.
Raipur	1.16	Rain has slightly damaged linseed and peas, more will cause serious injury to crops; health good; 78 deaths from cattle-disease; prices stationary.
Sambalpur (Feb. 14th)	Drizzling rain.	Weather cloudy; prospects favourable; sugarcane-pressing still continues; cholera still reported from interior; common rice 33 seers per rupee.
		<i>General Remarks.</i> —The late rain has caused slight damage in places; but as it fell after flowering had been completed and seed had set, the injury which has resulted is inconsiderable; fungoid disease has appeared in the northern district but not, it is believed, to any great extent; in the southern districts the wheat is fast ripening and linseed harvesting is in progress.
British Burma— (Feb. 18th)		
Akyab (Feb. 14th)	Nil	Cholera prevalent in Naf township; otherwise public health good cattle healthy.
Bassein (" ")	"	Public health good; slight cattle-disease in district; total rainfall 0.59.
Rangoon (" ")	"	Two deaths from cholera, otherwise public health good; supplies of paddy large; total rainfall 0.17.
Amherst (" ")	"	Public health and health of cattle good; total rainfall 0.69.
(Moulmein).		
Tavoy (" ")	"	Public health good; total rainfall 2.76.
Pegu (" ")	"	Public health and health of good; total rainfall 0.30.
Henzada (" ")	"	Eleven deaths from smallpox in Henzada town; cholera sporadic in district; cattle healthy.
Prome (" ")	"	Slight cholera in towns of Prome and Shwedoung, otherwise public health good; cattle healthy.
Toungoo (" ")	"	Public health good; total rainfall 0.17.
		<i>General Remarks.</i> —Cholera prevalent in one township of Akyab District, in towns of Prome and Shwedoung, and in Henzada and Thongwa districts; slight in Rangoon town, parts of Tharrawaddy and Amherst Districts; smallpox prevalent in Henzada, otherwise public health good; slight cattle-disease in Bassein and Thongwa Districts; crops being housed.
Assam— (Feb. 18th)		
Gauhati	0.07 during the week ending 17th instant.	Weather seasonable; mornings and nights cool; lands being ploughed for <i>aus</i> , but rain wanted to facilitate ploughing operations; sugarcane being cut; prospects good; public health fair.
Sylhet	Nil	State and prospects for all crops good; cholera reported from several sub-divisions, and smallpox from Sadr.
Cachar	"	Weather cold; about ¼ of mustard crop reaped; common rice 15½ seers per rupee; one death from cholera reported from Sadr.
Dibrugarh . . . . .	.43	Weather seasonable; ploughing for <i>aku dhan</i> commenced; prospects of winter crops good; district healthy.
Mysore and Coorg— (Feb. 18th)		
Bangalore	Nil	In Kolar and Tumkur crops suffering from want of rain; water and fodder becoming scarce; general health good; prices rising.
Mercara	"	Threshing of rice almost completed; price of cardamoms rising; coffee market dull; health generally good; but smallpox prevalent in some parts.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Berar & Hyderabad— (Feb. 18th)		
Amraoti	Nil	Weather clear; cotton-picking nearly completed; <i>rabi</i> crops flourish- ing; wheat 22 and <i>jowari</i> 26 seers per rupee.
Akola	"	<i>Rabi</i> crops in ear and thriving; prospects good.
Hyderabad (Feb. 13th)	No rain	Standing crops prospering; <i>tabi</i> sowings in progress; general health good; prices stationary.
" (" 17th)	;	Standing crops prospering; weeding of <i>tabi</i> crops commenced; general health fair; prices—wheat 14½, coarse rice 13, white <i>juar</i> 18, yellow <i>juar</i> 20, and <i>tur</i> 18 seers per hali sicca rupee.
Central India States— (Feb. 18th)		
Indore	Nil	Weather changeable but sky clear; health good; prices falling.
Morar (Gwalior)	"	Health and prospects good; weather cloudy.
Sutna	"	Health and prospects good.
Neemuch	"	Weather getting warmer; health and prospects good.
Goonna	"	Weather very cold; health and prospects good.
Agar	"	Health and prospects good.
Sehore	"	Weather fair; health good; opium and other crops good.
Nowgong	"	Prospects and health goods; weather cold.
Manpur (Bhopawar)	"	Health good; <i>rabi</i> and opium crops good.
Rajputana— (Feb. 18th)		
Harowti . (Feb. 18th)	Nil	Weather clear and cool; health and prospects good; prices firm.
Jhallawar . (" 18th)	"	Weather bright and cold; north wind; health good.
Ajmere . (" 17th)	"	Harvest prospects good; some fever reported in Todgarh and in Ajmere city, but health of district is generally good.
Jeypore . (" ")	"	Weather cloudy; prospects favourable; prices steady; health good.
Ulwur . (" ")	"	Health and crop prospects good; weather rather cold and cloudy.
Abu . (" 18th)	"	Weather cold and windy.
Sirohi . (" 15th)	"	Weather fine and cool; health and prospects good.
Marwar . (" 18th)	"	Weather cold and cloudy; health and prospects good; prices sta- tionary.

T. W. HOLDERNESS,
Offg. Secy. to the Govt. of India.



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Separate paging is given to this Part in order that it may be filed as a separate compilation.

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SUPPLEMENT No. 9.

PART I.

Government of India Notifications, Appointments, Promotions, &c.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Fort William, the 26th February, 1885.

No. 6.—Mr. S. H. James, Legal Remembrancer to the Government of the North-Western Provinces and Oudh, is appointed to officiate as Deputy Secretary to the Government of India, in the Legislative Department, during the absence on leave of Mr. J. M. Macpherson, or until further orders.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.

HOME DEPARTMENT.

NOTIFICATIONS.—PORT BLAIR.

Calcutta, the 25th February 1885.

No. 110.—Mr. W. Jessop, who was appointed by Home Department Notification No. 41, dated the 30th January 1885, to be an Extra Assistant Superintendent, 2nd class, Port Blair and the Nicobars, provisionally for one year, is confirmed permanently in that appointment, with effect from the date of retirement from the service of Sirdar Baghel Singh, Rai Bahadur.

Mr. Reginald Wimberley is appointed provisionally to be Extra Assistant Superintendent, 2nd class, *vice* Mr. Jessop.

EDUCATION.

The 26th February 1885.

No. 36.—Mr. C. B. Clarke, M.A., Inspector of Schools, Presidency Circle, is appointed to officiate as Inspector of Schools, Assam, during the absence on furlough of Mr. J. Willson, or until further orders.

The 27th February 1885.

No. 42.—Under Section 12 of Act II of 1857, the Governor General in Council is pleased to authorise the affiliation of the Ripon College, Calcutta, to the Calcutta University in Arts up to the B. A. Standard and in Law, with effect from June 1885.

PATENTS.

The 26th February 1885.

No. 206.—Specifications of the undermentioned inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Government of India in the Home Department. Copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every specification is open to public inspection, at all reasonable hours, at the Office of the Secretary to the Government of India in the Home Department at the Presidency, upon payment of a fee of one Rupee. A certified copy of any specification will be given to any

person requiring the same on payment of the expense of copying :

- No. 92 of 1884.—William Sedgwick, Major, of the Royal Engineers, and Deputy Consulting Engineer to the Government of India for Guaranteed Railways, Calcutta, for a new or improved self-acting arrangement for arresting gradually the descent of vehicles or cages, which break away on rope inclines, or vertical shafts.
- No. 110 of 1884.—James Henry Channing Martin, of the Drive Walthamstow, in the County of Essex, England, for improvements in machinery for decorticating or scouring rice, wheat, and other grain and seeds.
- No. 121 of 1884.—The United States Cotton Seed Cleaning Company, doing business in the City, County, and State of New York, one of the United States of America, for improved process of treating cotton seed to separate the adhering fibre after ginning.
- No. 129 of 1884.—Henry Weston, Dentist, and Joseph Louis Wells, Artist, of the City of Philadelphia, in the State of Pennsylvania, one of the United States of America, for pillows, cushions, &c.
- No. 143 of 1884.—Andrew Charles Guy Thompson, Engineer, of Windsor Tea Estate, Darjeeling, Bengal, for improvements in machinery or apparatus for the rolling or twisting, and crinkling of tea leaves or other analogous substances, such improvements greatly increasing the efficiency of such machinery, and increasing the value of the substance operated upon.
- No. 158 of 1884.—Edmund Gregory Holtham, of No. 5, Westminster Chambers, Westminster, in the County of Middlesex, England, for improvements in longitudinal sleepers and fastenings for the permanent-way of railways.
- No. 169 of 1884.—Adam Miller, of Lime Street, in the City of London, England, Engineer, for apparatus for ventilating railway carriages or other rapidly moving vehicles.
- No. 162 of 1884.—Arthur Campbell Rogers, Assistant Engineer, Oudh and Rohilkund Railway, of Nagina, District of Bijnour, North-Western Provinces, for the use in, and utilization, adaptation, and combination of, old or new railway or other rails, or their portions, of whatever sort, kind, or description, together with their fishplates, clips, bolts, and nuts, in the construction, making or erection of the whole, or any parts of either the stand chair, or platform, and also in the working parts of a sugar or any other mill.
- No. 173 of 1884.—James Morris, Architect, of 1 Hummum Street, Fort Bombay, for fire-proof and sound-proof flooring, suitable for business premises and public buildings, dwelling-houses, open terraces, and Native *chals*.
- No. 175 of 1884.—Richard Mathews Ruck, of Prospect Row, Chatham, in the County of Kent, Captain, R.E., and Edwyn Jones, of Woodcote, Dower House, Wallington, in the County of Surrey, England, Barrister-at-Law, for improvements in apparatus for maintaining torpedos, submarine mines, buoys, floating break-waters, floating piers, or other floating bodies at a constant, or nearly constant, depth below the surface of the water.

No. 178 of 1884.—Samuel Cooke, M.A., A.M.I.C.E., F.I.C., F.G.S., &c., Professor of Chemistry and Geology, residing at Poona, for the manufacture of chemical manures from materials locally obtainable in the raw condition.

No. 181 of 1884.—James Charles Morrison, of West Ham, in the County of Essex, England, Mechanic, and Robert Smith, of Bromley, in the County of Middlesex, England, Mechanic, for improvements in oil-burners.

No. 186 of 1884.—Charles Page and Louis Goulliond, both of the City of Montreal, in the District of Montreal, and Province of Quebec, Dominion of Canada, Machinists, for certain improvements in car axle lubricators.

No. 187 of 1884.—William Boyd Livingstone, Principal of the Berhampore College, near Murshedabad, residing at present in Berhampore, for a double siphon filter.

No. 195 of 1884.—Leon Cuisinier, of No. 93, Rue de la Meri Court, Paris, in the Republic of France, Chemist, for process for extracting and saccharifying ingredients of amylaceous substances by treatment with malt.

No. 196 of 1884.—Thomas Hawksley, M. D., London, Physician, of Brighton, in the County of Sussex, England, for an improved dry system of disposing of sewage or of refuse organic matter in dwellings or elsewhere.

No. 5 of 1885.—Thomas Briggs, Manufacturer, of Manchester, in the County of Lancaster, England, for an improved compound material, suitable for the manufacture of lined coffee and sugar bags, and for other useful purposes.

No. 9 of 1885.—William Leach, Foreman Boiler-maker, of the Rajputana-Malwa Railway, Ajmere, for an improved flexible stay for use in staying the fire-boxes of locomotive, marine, portable and stationary boilers.

FORESTS.

The 23rd February 1885.

No. 179 F.—Mr. T. J. Campbell, Officiating Assistant Conservator of Forests of the 3rd Grade in Assam, is confirmed in that grade, with effect from the 7th February 1885.

D. FITZPATRICK,

Offg. Secy. to the Govt. of India.

REVENUE AND AGRICULTURAL DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Calcutta, the 27th February 1885.

No. 124—44-7G.—Mr. T. W. Holderness, C.S., Officiating Secretary to the Government of India in the Revenue and Agricultural Department, is granted furlough for one year from the 1st April 1885.

C. S. BAYLEY,

Offg. Under-Secretary to the Government of India.

MUSEUMS AND EXHIBITIONS.

The 27th February 1885.

No. 167—10-6 Ex.—Mr. J. Wood-Mason, Deputy Superintendent of the Indian Museum, is appointed to officiate as Superintendent during the absence of Dr. J. Anderson, F.R.S., or until further orders, with effect from the afternoon of the 21st instant, the date on which Dr. Anderson availed himself of the leave granted to him under Notification No. 90, dated the 5th idem.

T. W. HOLDERNESS,

Offg. Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.—GENERAL.

Fort William, the 24th February, 1885.

No. 364 G.—The following promotions are made in the Meywar Bhil Corps, with effect from the 1st December, 1884:—

Subadar Homa, to be Subadar-Major, *vice* Subadar-Major Sutteedeen, Sirdar Bahadur, invalided.

Jemadar Dana, to be Subadar, *vice* Subadar Homa, promoted.

Jemadar Homa, to be Subadar, *vice* Subadar Lalleea, invalided.

Color-Havildar Heera Singh, to be Jemadar, *vice* Jemadar Dana, promoted.

Havildar Unwar, to be Jemadar, *vice* Jemadar Homa, promoted.

The 25th February, 1885.

No. 371 G.—Mr. L. S. Saunders, Resident of the 2nd class and Commissioner of Ajmere, is appointed to officiate as Commissioner of the Hyderabad Assigned Districts, with effect from the date of assuming charge, during the absence on furlough of Mr. F. Henvey, or until further orders.

No. 373 G.—Colonel W. Tweedie, C.S.I., Political Agent of the 1st class, is appointed to officiate as a Resident of the 2nd class and as Commissioner of Ajmere, with effect from the date of assuming charge, *vice* Mr. L. S. Saunders.

The 26th February, 1885.

No. 380 G.—The services of Mr. G. H. Bayly, Executive Engineer, Public Works Department, Mysore, are replaced at the disposal of the Public Works Department, with effect from the 1st February, 1885.

The 27th February, 1885.

No. 387 G.—The services of Lieutenant W. A. Watson, Officiating Adjutant of the 2nd Regiment Central India Horse, are placed at the disposal of the Military Department, with effect from the date on which he is relieved of his duties.

No. 389 G.—The services of Mr. A. J. Hughes, Executive Engineer, 1st Grade, are replaced at the disposal of the Public Works Department, with effect from the 28th February, 1885.

INTERNAL.

The 24th February, 1885.

No. 668 I.—His Excellency the Viceroy and Governor-General is pleased to confer upon Mr. Nanyan Vasudev Barve, late Nyayadish of the State of Akalkot in the Bombay Presidency, the title of "Rao Bahadur" as a personal distinction.

The 26th February, 1885.

No. 686 I.—His Excellency the Viceroy and Governor-General is pleased to confer upon Munshi Ahmadulla Khan of Meerut the title of "Nawab" as a personal distinction.

The 27th February, 1885.

No. 699 I.—Whereas His Highness the Maharaja Sindia, His Highness the Maharana of Oodeypore, and His Highness the Nawab of Tonk, have granted to the British Government full jurisdiction within those portions of land which lie within their respective States, and are occupied or may be hereafter occupied by the Narmada-Nascerabad State Railway (including the lands occupied as stations, out-buildings, and for other railway purposes): In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to declare as follows:—

1. Act No. IV of 1879 [the Indian Railway Act, 1879,] is extended to the aforesaid portions of land, subject to the following modifications, namely, in the second and third paragraphs of section 1, and in section 50 the words "a Presidency Magistrate and" shall be omitted.
2. In exercise of the power conferred by section 4 of the said Indian Railway Act, 1879, the Governor-General in Council is pleased to sanction the use of locomotive engines or other motive power, and carriages and waggons to be drawn or propelled thereby on the aforesaid portions of land.
3. In exercise of the power conferred by section 53 of the said Indian Railway Act, 1879, the Governor-General in Council is pleased to declare that the Agents to the Governor-General in Central India and Rajputana shall be deemed to be, for the purposes of the said Act, the Local Governments in respect to such portions of the aforesaid land as are situated in the Native States within their respective charges.

H. M. DURAND,

Offg. Secretary to the Government of India.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATION.—LEAVE AND APPOINTMENTS.

Calcutta, the 24th February 1885.

No. 999.—The services of Surgeon C. M. Thompson, Officiating Deputy Assay Master, Bombay Mint, are at his own request replaced at the disposal of the Government of Madras, with effect from the 1st March or such other date as he may be relieved of the duties of Deputy Assay Master.

D. BARBOUR,

Secretary to the Government of India.

MILITARY DEPARTMENT.*Fort William, the 27th February, 1885.***APPOINTMENTS.****No. 106.—JUDGE ADVOCATE GENERAL'S DEPARTMENT—**

Lieutenant-Colonel M. Clementi, Deputy Judge Advocate General, to officiate as Judge Advocate General, *vice* Colonel J. C. Horne, on furlough.

Lieutenant-Colonel H. B. Sanderson, Deputy Judge Advocate, to officiate as Deputy Judge Advocate General, *vice* Lieutenant-Colonel Clementi.

Captain W. B. Wilson, Bengal S.C., Squadron Officer, 12th Bengal Cavalry, to officiate as Deputy Judge Advocate, *vice* Colonel J. M. Stewart, on furlough.

Major C. L. Prendergast, General List, Infantry, to officiate as Deputy Judge Advocate, *vice* Lieutenant-Colonel Sanderson.

No. 107.—ORDNANCE DEPARTMENT—

Lieutenant A. L. Carroll, R.A., to officiate as Assistant Superintendent of Factories, *vice* Captain J. L. Fixott, R.A., appointed to officiate as Superintendent of the Small Arm Ammunition Factory, Kirkee.

No. 108.—COMMISSARIAT DEPARTMENT—

Lieutenant D. M. Thompson, Bengal S. C., Officiating Squadron Officer, 6th Bengal Cavalry, to be a Sub Assistant Commissary-General, 2nd class, on probation, with effect from the 2nd February, 1885, *vice* Lieutenant C. V. W. Williamson, Sub Assistant Commissary-General, 2nd class, promoted.

FIELD OPERATIONS.

No. 109.—In continuation of G. G. O. No. 88 of 1885, it is notified that the following additional staff has been detailed for service with the Indian Brigade, Snakim :—

Transport Department.

Major G. R. J. Shakespear, Bengal S. C., Deputy Assistant Commissary-General for Transport.

Lieutenant F. J. D. Lugard, Norfolk Regiment.

Medical Department.

Surgeon-Major R. Boustead, Bombay Medical Service.

Surgeon A. C. Thompson, Bombay Medical Service.

Surgeon F. Burness, Bombay Medical Service.

Surgeon J. Smyth, M.D., Madras Medical Service.

Survey Department.

Lieutenant-Colonel W. F. Badgley, Bengal Staff Corps, Deputy Superintendent, Survey of India, in charge of Survey party.

FURLOUGH AND LEAVE.

No. 110.—The undermentioned officers are granted furlough out of India, with the necessary subsidiary leave :—

Colonel W. W. Boddam, Bengal S. C., Deputy Inspector General of Police, 1st grade, Punjab,

jab, (p. a.) for one year and 182 days, under rule IX of the regulations of 1868. (This cancels the furlough granted him in G. G. O. No. 28 of 1885.)

Major F. S. Carr, General List, Infantry, Squadron Commander, 5th Punjab Cavalry, (p. a.) for one year, under rule IX of the regulations of 1868.

Major C. H. Stoddart, Bengal S. C., Wing Commander, 5th Bengal Infantry, (p. a.) for two years, under rule IX of the regulations of 1868.

Major R. J. Waller, Bengal S. C., Wing Commander, 45th Bengal Infantry, (p. a.) for one year, under rule IX of the regulations of 1868.

Captain C. R. Hoskyn, R.E., Examiner of Accounts, 4th class, 3rd grade, Public Works Department, (p. a.) for one year and 182 days, under rule IX of the regulations of 1868.

Lieutenant A. L. Mein, R.E., Assistant Engineer, 1st grade, Temporary Executive Engineer, 4th grade, Military Works Department, (p. a.) for one year, under rule IX of the regulations of 1868.

Assistant Commissary and Honorary Lieutenant J. Burns, Ordnance Department, (m. c.) for one year, under rule I of the regulations of 1875.

Sub-Conductor C. Hilton, Supervisor, 2nd grade, Public Works Department, North-Western Provinces and Oudh (m. c.) for 248 days, under rule VI of the regulations of 1875.

No. 111.—With reference to G. G. O. No. 621 of 1884, Major A. Harden, General List, Infantry, Wing Officer, 2nd Bengal Infantry, has been granted by the Secretary of State for India furlough, (m. c.) for 223 days, under rule VI of the regulations of 1875, with effect from the 23rd November, 1884.

No. 112.—The undermentioned officers have been granted extensions of furlough by the Secretary of State for India :—

Lieutenant-Colonel F. Hammond, Bengal S. C., (p. a.) for 14 days.

Lieutenant G. F. Willes, Bengal S. C., (m. c.) for six months.

Second grade Assistant Apothecary P. W. O'Gorman, (m. c.) for six months.

No. 113.—Captain H. M. P. Hawkes, Bengal S. C., Sub Assistant Commissary-General, 1st class, is granted leave within Indian limits (p. a.) for 182 days, under rule X of the regulations of 1875.

No. 114.—Colonel H. St. G. Tucker, c.B., Infantry, is permitted to reside in England.

LONDON GAZETTE.

No. 115.—The following extracts are published for general information :—

"*London Gazette*," dated the 23rd January, 1885, page 314.

India Office, 23rd January, 1885.

The Queen has approved of the following promotions among the Officers of the Staff Corps and

Indian Military Forces made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenant-Colonels.

Major William Jackson Parker. Dated 4th November, 1884.

Major James L. N. Willis. Dated 13th November, 1884.

To be Major.

Captain Mansel Armstrong. Dated 22nd November, 1884.

To be Captains.

Lieutenant Peter Robert Bairnsfather. Dated 2nd November, 1884.

Lieutenant Edward James Nicolls Fasken. Dated 2nd November, 1884.

Lieutenant Goodson Adye. Dated 13th November, 1884.

Lieutenant Henry Brabazon Urmston. Dated 13th November, 1884.

Lieutenant Henry Richard Marrett. Dated 13th November, 1884.

Lieutenant Redmond Conyngham Samuel Macauland. Dated 13th November, 1884.

Lieutenant Francis Robert Bonham Knox. Dated 13th November, 1884.

Lieutenant Henry Montague Pakington Hawkes. Dated 23rd November, 1884.

BENGAL CAVALRY.

To be Lieutenant-Colonels.

Major and Brevet Lieutenant-Colonel Henry Alexander Shakespear. Dated 20th November, 1884.

Major Fendall Currie. Dated 20th November, 1884.

"*London Gazette*," dated the 30th January, 1885, page 431.

WAR OFFICE, PALM MALL,

The 30th January, 1885.

MEMORANDA.

Deputy Assistant-Commissary William Powell, Bengal Establishment, to be Honorary Lieutenant. Dated 1st July, 1884.

"*London Gazette*," dated the 3rd February, 1885, page 476.

India Office, 3rd February, 1885.

The Queen has approved of the following Admissions to the Staff Corps, made by the Governments in India :—

BENGAL STAFF CORPS.

To be Lieutenants.

Lieutenant Frederick St. George Tucker, from the Royal Artillery. Dated 26th August, 1883, but to rank from 27th July, 1880.

Lieutenant Lindsay Sherwood Newmarch, from the Royal Warwickshire Regiment. Dated 4th September, 1883, but to rank from 1st June, 1881.

Lieutenant Harry Trevor, from the Cheshire Regiment. Dated 6th July, 1883, but to rank from 1st July, 1881.

Lieutenant Arthur Philip Desborough Harris, from the West Riding Regiment. Dated 7th November, 1883, but to rank from 22nd October, 1881.

PENSIONS.

No. 116.—The undermentioned warrant officers are transferred to the pension establishment :—

Assistant Commissary and Honorary Lieutenant Michael Shanahan, Public Works Department.

Conductor James Trotter, Ordnance Department—3rd April 1885.

Sub-Conductor William Greaves, Military Works Department.

PROMOTIONS.

No. 117.—The following promotions are made, subject to Her Majesty's approval :—

BENGAL STAFF CORPS.

Lieutenants to be Captains.—Dated 28th February, 1885.

Warren Hastings.

Henry Lushington Ramsay.

Charles Wilson Young.

Charles Harold Hepworth Beley.

William Home Cazalet.

James Loughnan O'Bryen.

Henry George Ryland.

James Philip Sparling.

Harold Arthur Deane.

Charles Edward Wylde Macdonald.

John Franklin Worlledge.

John George Morris.

Harry Stanley Massy.

Alfred Edwin Jones.

BENGAL ARMY.

To be Colonel.

Lieutenant-Colonel and Brevet Colonel Henry St. George Tucker, C.B., Bengal Infantry,—1st March, 1885.

RETIREMENTS.

No. 118.—The undermentioned medical officers have been permitted to retire from the service, with effect from the dates specified, subject to Her Majesty's approval :—

Brigade-Surgeon John Jones, M.D.,—17th January, 1885.

Brigade-Surgeon William Henry Kirton,—7th December, 1884.

No. 119.—Surgeon G. A. Cones is transferred to temporary half pay, with effect from the 1st May, 1885, subject to Her Majesty's approval.

No. 120.—The first Christian name of Major F. R. C. Voyle is *Francis* and not *Frank* as stated in G. G. O. No. 39 of 1885.

MILITARY WORKS DEPARTMENT.

PROMOTIONS.

No. 121.—G. G. O. No. 75 of 1885 is cancelled, and the following promotions and reversions are made in the Military Works Department, in lieu of those published in that order, with effect from the dates specified:—

NAME.	From	To	Nature of promotion, &c.	With effect from
Lieutenant G. M. Porter, R.E.	Asst. Engr., 1st grade	Exe. Engr., 4th grade	Temporary	16th Aug., 1884.
Lieutenant H. J. W. Jerome, R.E.	Asst. Engr., 1st grade	Exe. Engr., 4th grade	Temporary	15th Sept., 1884.
Lieutenant H. J. W. Jerome, R.E.	Exe. Engr., 4th grade	Asst. Engr., 1st grade	Reversion	4th Oct., 1884.
Lieutenant H. J. W. Jerome, R.E.	Asst. Engr., 1st grade	Exe. Engr., 4th grade	Temporary	7th Oct., 1884.
Lieutenant H. J. W. Jerome, R.E.	Exe. Engr., 4th grade	Asst. Engr., 1st grade	Reversion	31st Oct., 1884.
Lieutenant G. M. Porter, R.E.	Exe. Engr., 4th grade	Asst. Engr., 1st grade	Reversion	1st Nov. 1884.
Lieutenant A. L. Mein, R.E.	Exe. Engr., 4th grade	Asst. Engr., 1st grade	Reversion	10th Nov., 1884.
Lieutenant A. L. Mein, R.E.	Asst. Engr., 1st grade	Exe. Engr., 4th grade	Temporary	3rd Dec., 1884.

No. 122.—In G. G. O. No. 105 of 1885, promotion of Captain E. Glennie, R.E., to Executive Engineer, 3rd grade, sub. *pro tem.* for "15th August, 1884," read "8th August, 1884."

MARINE DEPARTMENT.

LEAVE.

No. 7.—Mr. C. F. Wight, 2nd Grade Officer, Indian Marine, is granted furlough for one year, under Rule VII of Marine Circular No. 16 of 1884.

G. CHESNEY,

Secretary to the Government of India.

MILITARY DEPARTMENT.

NOTIFICATION.

Calcutta, the 27th February, 1885.

Under Clause 26 of the Regulations appended to the Regimental Debts Act of 1863, it is notified that reports of the deaths of the undermentioned Commissioned and Warrant Officers, on the dates specified, were received in the Military Department between the 3rd January and 27th February, 1885.

Corps.	Rank and Names.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
Subordinate Medical Department.	Assistant Apothecary Lewis Pereira.	1st Dec., 1884	Saharunpore	Intestate.	
York and Lancaster Regiment.	Lieutenant C. H. R. McNair	27th Jan., 1885	Midnapore.		
Commissariat Department.	Conductor Thomas Carroll	13th Feb., 1885	Lucknow	Will left	Widow administering to the estate.
South Lancashire Regiment.	Lieutenant L. Seward	17th Feb., 1885	Peshawar.		

G. CHESNEY,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Fort William, the 21st February 1885.

No. 54.—His Excellency the Governor General in Council is pleased to confer the honorary rank of Assistant Engineer on Mr. H. Mann, Sub-Engineer, 1st Grade, State Railways.

The 24th February 1885.

No. 55.—Captain C. Hoskyns, R.E., Executive Engineer, 2nd Grade, is, on return from field service, replaced at the disposal of the Director General of Railways.

No. 56.—Colonel R. Home, C.I.E., R.E., Chief Engineer, 2nd Class, sub. *pro tem.*, is placed on deputation in the Office of the Secretary to the Government of India, Public Works Department, from 24th February until further orders.

The 27th February 1885.

No. 60.—The Governor General in Council is pleased to order the following *temporary* promotions to and in the classes of Superintending Engineers, with effect from the dates specified:—

NAMES.	From	To	With effect from
Colonel J. Browne, C.S.I., R.E.	updg. Engr., 2nd Class	Supdg. Engr., 1st Class	3rd February 1885.
Storey, H. F.	„ „ 3rd „ sub. <i>pro tem.</i>	„ „ 2nd „	Ditto.
Colonel B. Lovett, C.S.I., R.E.	Exe. Engr., 1st Grade	„ „ 3rd „	13th February 1885.

No. 61.—Major T. Howard, R.E., Executive Engineer, 1st Grade, North-Western Provinces and Oudh, is appointed to officiate as Superintending Engineer, with effect from the date on which he assumed charge of the duties of his post.

W. S. TREVOR, *Colonel, R.E.,*
Secretary to the Government of India.

No. 57.—Mr. H. A. D. Wathen, Assistant Engineer, 1st Grade, Cuddapah-Nellore State Railway, is temporarily transferred to the Superior Accounts Establishment, with the rank of Assistant Examiner, 1st Grade, and is posted to the Office of the Examiner, Public Works Accounts, Central Provinces.

The 26th February 1885.

No. 58.—Colonel A. M. Lang, R.E., Chief Engineer, 2nd Class, *temporary rank*, reverted to Chief Engineer, 3rd Class, sub. *pro tem.* with effect from the forenoon of the 19th February 1885.

No. 59.—Mr. A. Wilson, attached to the Office of Examiner of Guaranteed Railway Accounts, Calcutta, is appointed to officiate as Examiner of Accounts, North-Western Provinces and Oudh, Provincial State Railways, during the absence of Mr. S. M. Johnson on privilege leave, or until further orders.



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 28, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by High Court, Comptroller General, &c.

GAZETTE OF INDIA.

NOTICE.

The 25th October 1884.

From the 22nd November next, till further notice, the complete *Gazette of India* will be published at Calcutta. After the 15th November, all Notifications and other matter intended for publication in the *Gazette* should be addressed to the Publisher, 166, Dhurumtollah Street, Calcutta.

	R	s.	p.
Subscription for <i>Gazette</i> and Supplement per annum	15	0	0
Postage	5	8	0
Subscription for Supplement only	6	0	0
Postage	3	0	0
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Postage on single copies varies according to weight.			

Parts IV and V of the *Gazette of India*, containing the Acts and Bills of the Legislative Council, may be subscribed for separately from the other Parts of the *Gazette*. The annual subscription for the two Parts is Rs 5 per annum, payable in advance. When sent by post, 12-8 per annum additional will be charged for postage.

By an order of Government, all subscriptions must be paid in advance.

Applications for the supply of the *Gazette* on the public service should be addressed to the Home Department.

Complaints regarding non-receipt of any number of the *Gazette* should be forwarded within a week

NOTICE.

Attention is invited to the Circular Memo. of the Government of India, Home Department, of February 1870, directing that all Notifications or other matter intended for insertion in the *Gazette of India* should be delivered at the Publisher's Office not later than 2 p.m. on Friday afternoon, and that matter sent after that hour must be certified to be extremely urgent in order to ensure its appearance in the next day's *Gazette*.

Matter intended for publication in the Supplement should reach the Press not later than Thursday.

E. J. DEAN,

Publisher, Gazette of India.

BANK OF BENGAL.

NOTICE.

Calcutta, the 27th February 1885.

A Special Meeting of the Proprietors and Shareholders of the Bank of Bengal will be held in the Office of the Bank on Saturday, the 21st proximo, at 3 p.m., for the purpose of electing an Auditor in place of Mr. H. W. I. Wood, resigned.

By order of the Directors,

R. HARDIE, .

SURVEY OF INDIA.

NOTIFICATIONS.

Calcutta, the 23rd February 1885.

No. 497.—The following promotions are made from the forenoon of the 10th November 1884, *vice* Mr. G. B. Scott, promoted as Assistant Superintendent, 2nd Grade :—

Mr. G. W. E. Atkinson, Surveyor, 2nd Grade, to be Surveyor, 1st Grade.

Mr. A. D. Smart, Surveyor, 3rd Grade, to be Surveyor, 2nd Grade.

Mr. W. W. MacNair, Surveyor, 4th Grade, to be Surveyor, 3rd Grade.

Mr. C. D. Potter, Officiating Surveyor, 4th Grade, is confirmed in that grade.

Mr. J. Newland, Assistant Surveyor, 1st Grade, to officiate as Surveyor, 4th Grade.

Mr. E. Graham, Assistant Surveyor, 2nd Grade, to be Assistant Surveyor, 1st Grade.

Mr. W. H. D. Ewing, Assistant Surveyor, 3rd Grade, to be Assistant Surveyor, 2nd Grade.

No. 498.—In supersession of Notification No. 487, dated 19th December 1884, the following promotion is made, with effect from the forenoon of the 28th November 1884, *vice* G. R. Copping, Assistant Surveyor, 2nd Grade, deceased :—

Mr. J. A. Higgs, Assistant Surveyor, 3rd Grade, to be Assistant Surveyor, 2nd Grade.

The 24th February 1885.

No. 499.—Mr. Aylmer Boddington Smart is appointed an Assistant Surveyor, 3rd Grade, Survey of India, to fill an existing vacancy, with effect from the date on which he reports himself for duty in this office.

The 27th February 1885.

No. 500.—This Department Notification No. 495, dated the 17th instant, appointing Mr. J. E. Brown to be an Assistant Surveyor, 3rd Grade, Survey of India, is at his request hereby cancelled.

G. C. DEPRÉE, Colonel,
Surveyor General of India.

ACCOUNTANT GENERAL, Public Works Department.

NOTIFICATION.—ESTABLISHMENT.

Port William, the 23rd February 1885.

No. 2.—The leave granted to Mr. W. F. O'Donoghue, Examiner of Accounts, in Public Works Department Notification No. 38, dated 3rd February 1883, was commuted by Her Majesty's Secretary of State to leave on medical certificate for fifteen months.

A. FILGATE, *Lieut. Col. R.E.*

AGENT TO THE GOVERNOR GENERAL FOR CENTRAL INDIA.

NOTIFICATION.

Indore Residency, the 23rd February 1885.

No. 487.—In compliance with Foreign Department Notification No. 104G., dated the 20th January last, Lieutenant L. S. Newmarch reported his arrival and took charge of the duties of 3rd Assistant to Governor General's Agent in Central India on the afternoon of the 31st January 1885.

C. W. RAVENSHAW, Captain,
*2nd Asst. Agent to the Govr. Genl.
for Central India,
in charge of the Residency.*

CHIEF COMMISSIONER OF AJMERE- MERWARA.

NOTIFICATIONS.

Mount Abu, the 17th February 1885.

No. 176.—The Chief Commissioner of Ajmere-Merwara is pleased to invest Mr. R. M. Dane, C.S., Assistant Commissioner of Ajmere, with the powers of a Magistrate of the 1st Class, as described in Section 32, Act X of 1842 (Code of Criminal Procedure), with effect from the date of assuming charge of his appointment.

The 21st February 1885.

No. 203.—Mr. Leslie S. Saunders made over charge of the Office of Commissioner of Ajmere-Merwara to Mr. R. M. Dane on the forenoon of the 16th of February 1885.

By Order,
W. H. C. WYLLIE,
1st Asst. to the Chief Commr.

CHIEF COMMISSIONER AND SUPER- INTENDENT, ANDAMAN AND NICOBAR ISLANDS.

NOTIFICATIONS.

Port Blair, the 8th November 1884.

No. 15.—In exercise of the powers conferred by Section 6 of Act XIV of 1874 (The Scheduled Districts Act) the Chief Commissioner of the Andaman and Nicobar Islands is pleased to invest Mr. O. H. Brookes, Officiating 2nd Assistant Superintendent, with the powers of a 1st Assistant Superintendent for the administration of civil justice in the said islands during the absence of the Officiating 1st Assistant Superintendent from Port Blair, or until further orders.

The 5th December 1884.

No. 16.—Mr. H. Godwin-Austen, Extra Assistant Superintendent, 2nd Class, having returned to Port Blair on the evening of the 4th instant, from the leave on medical certificate granted him in Department No. 599 of the 19th December

place in the Commission from the forenoon of this date :—

Mr. H. Godwin-Austen, Extra Assistant Superintendent, 2nd Class, to officiate as 3rd Assistant Superintendent.

Mr. M. V. Portman, from Officiating 3rd Assistant Superintendent, to Officiating Extra Assistant Superintendent, 1st Class.

Mr. R. Wimberley, from Officiating Extra Assistant Superintendent, 1st Class, to Officiating Extra Assistant Superintendent, 2nd Class.

T. CADELL, *Colonel,*
Chief Commr. of the Andaman
and Nicobar Islands, and Supdt.
of Port Blair and Nicobars.

MILITARY WORKS DEPARTMENT.

NOTIFICATION.

Simla, the 17th February 1885.

No. 8.—Lieutenant H. G. Harvey, R.E., Assistant Engineer, 2nd Grade, joined the Military Works Department on the forenoon of 26th January 1885, and is posted to the Sirhind-Lahore Command.

J. J. McLEOD INNES, *Colonel, R.E.,*
Insp. Genl. of Military Works.

DIRECTOR GENERAL OF RAILWAYS.

NOTIFICATIONS.—ESTABLISHMENT.

Calcutta, the 23rd February 1885.

No. 25.—Mr. P. H. Cresswell, Assistant Engineer, 1st Grade, passed the Lower Standard Examination in Hindustani on the 5th January 1885.

The 24th February 1885.

No. 26.—Mr. J. S. Brown, Executive Engineer, 4th Grade, sub. *pro tem.*, is transferred from the Rajputana-Malwa Railway to the Bilaspur-Etawah State Railway.

F. S. STANTON, *Colonel, R.E.,*
Director General of Railways.

NAGPUR-BENGAL STATE RAILWAY.

NOTIFICATION.

Raipur, the 2nd February 1885.

With reference to Director General of Railways, Notification No. 9, dated 16th January 1885, the following Officers reported their arrivals at Nagpur on the forenoon of the dates set opposite to their names :—

Mr. A. C. Cregeen, Superintending Engineer, 1st Grade, sub. *pro tem.*,—13th October 1884.

Mr. W. B. Taylor, Executive Engineer, 2nd Grade,—13th October 1884.

Mr. E. H. Stone, Executive Engineer, 3rd Grade,—13th October 1884.

Mr. E. F. Gordon, Assistant Engineer, 1st Grade,—13th October 1884.

Mr. E. Baker, Assistant Engineer, 1st Grade,—13th October 1884.

Mr. A. T. Cheodette, Assistant Engineer, 2nd Grade,—14th October 1884.

A. C. CREGEEN,
Engineer-in-Chief,
Nagpur-Bengal State Railway.

Report of a Deserter from the 2nd Battalion, Liverpool Regiment of Infantry, dated at Fort William, this 22nd day of February 1885.

Number, Rank, and Name.— No. 20.—Liverpool Regt. Private Thomas Tyldesley.	At what Place Enlisted.— Warrington, Lancashire. Parish and County in which Born,—Hindley, Hindley, Lancashire.
Age,—22 years 6 months.	Marks.—Bald patch on right temple, scar on spine above right buttock.
Size,—5 feet 5 inches.	Trade,—Collier.
Colour of— Complexion, fair; Hair, brown; Eyes, hazel.	Coat or Jacket,— Waistcoat,— Breeches or } Trowsers,— } Remarks.—
Date of Desertion,—17th February 1885.	Was on leave to 2 A.M., 17th February 1885.
Place of Desertion,—Fort William, Calcutta.	Under 4 years' service.
Date of Enlistment,—18th August 1881.	

A. A. LEMESURIER, *Colonel,*
Comdg. 2nd Battn., Liverpool Regt.

Report of a Deserter from the 1st Battalion, North Lancashire Regiment of Foot, dated at Quetta, this 18th day of February 1885.

Number, Rank, and Name.— No. 478, Private John Williams.	Parish and County in which Born,—St. Mary's, Staf- ford, Staffordshire, Eng- land.
Age,—21 years 10 months.	Marks.—Tattooed on left fore-arm, cross lettered, "in memory of my dear mother." Flaps and Rose.
Size,—5 feet 6 inches.	On right forearm, Sailor with crossed legs. Bracelet, Star, and Harp.
Colour of— Complexion, fresh; Hair, light brown; Eyes, dark grey.	Trade,—Seaman.
Date of Desertion,—11th February 1885.	Coat or Jacket,— Waistcoat,— Breeches or } Trowsers,— } Remarks.—
Place of Desertion,—Kara- chi.	Under 3 years' service.
Date of Enlistment,—12th July 1882.	
At what Place Enlisted,— Liverpool.	

F. G. BERKELEY, *Lieut.-Colonel,*
Comdg. 1st Battn., N. Lancashire Regt.

Weekly Statement of Silver tendered, of Certificates issued, and Silver Balance in the Mint.

DATE.	SILVER TENDERED, ESTI- MATED VALUE.	CERTIFICATES ISSUED ON		BALANCE OF BULLION		
		General Treasury.	Currency Depart- ment.	Under Assay.	Assayed	Held on account of the Cur- rency De- partment.
1885.						
Feb. 16	• • •	38,080	1,87,410	3,482	1,24,56,830	96,06,024
" 17	• • •	48,201	• • •	4,981	1,23,52,850	95,80,941
" 18	• • •	55,222	• • •	4,981	1,23,25,850	95,21,938
" 19	• • •	35,633	• • •	4,981	1,22,77,820	94,56,070
" 20	• • •	33,731	• • •	4,981	1,22,77,820	94,51,249
" 21	2,23,007	40,064	2,107	2,23,442	1,22,79,982	94,12,680

R. V. RIDDELL, *Major, R.E.,*
Mint Master.

CALCUTTA MINT.

The 23rd February 1885.

No. 2228.—Account of Revenue and Expenditure of the Government of India for the first seven

N.B.—Amounts are converted into

	REVENUE.	Estimates, 1884-85.	April 1883 to October 1888.	April 1884 to October 1884.	COMPARISON OF TWO YEARS.	
					Increase.	Decrease.
		£	£	£	£	£
I	Land Revenue *	22,396,600	8,981,605	8,818,732	...	162,873
II	Opium	8,504,200	5,437,977	5,056,382	...	381,595
III	Salt	6,328,900	3,406,015	3,553,059	146,144	...
IV	Stamps	3,533,000	2,025,011	2,050,888	25,877	...
V	Excise	3,796,900	2,196,450	2,300,275	103,825	...
VI	Provincial Rates	2,740,300	1,243,548	1,169,380	...	74,168
VII	Customs	1,289,500	611,702	506,530	...	105,163
VIII	Assessed Taxes	518,100	457,363	452,770	...	4,593
IX	Forest	1,052,000	421,545	387,399	...	34,146
X	Registration	265,600	163,201	170,423	7,222	...
XI	Tributes from Native States	695,900	241,009	234,006	...	7,003
XII	Post Office	1,059,000	582,449	602,408	19,959	...
XIII	Telegraph	547,700	238,409	251,384	12,975	...
XIV	Mint	102,200	34,781	54,220	20,039	...
XV	Law and Justice	617,900	203,319	266,285	...	7,034
XVI	Police	308,800	172,236	176,565	4,329	...
XVII	Marine	205,900	94,820	70,423	...	24,397
XVIII	Education	198,700	112,707	109,127	...	3,580
XIX	Medical	46,100	25,858	23,298	...	2,560
XX	Scientific and other Minor Departments.	75,700	43,302	39,804	...	3,498
XXI	Interest	643,100	385,675	382,577	...	3,098
XXII	Receipts in aid of Superannuation, &c.	194,200	87,201	80,828	...	6,373
XXIII	Stationery and Printing	53,000	29,938	22,775	...	1,163
XXIV	Miscellaneous	248,300	118,179	147,832	29,653	...
	<i>Productive Public Works.</i>	55,511,600	27,398,600	26,947,379	...	451,221
XXV	State Railways (Gross Earnings)	3,716,900	1,668,764	1,962,458	273,694	...
	East Indian Railway (Gross Earnings).	4,850,000	2,909,236	2,374,989	...	534,247
XXVI	Guaranteed Railways (Net Traffic Receipts).	3,613,000	2,516,225	2,364,303	...	152,023
XXVII	Irrigation and Navigation (direct Receipts).	942,600	434,193	577,911	93,718	...
	<i>Unproductive Public Works.</i>					
XXIX	State Railways	196,100	64,701	127,593	62,692	...
XXX	Southern Mahratta Railway	...	...	11,675	11,675	...
XXXI	Irrigation and Navigation	140,700	75,839	68,821	...	7,018
XXXII	Military Works	37,700	21,105	20,791	...	314
XXXIII	Civil Buildings, Roads, and Services	520,600	240,704	269,483	28,779	...
XXXIV	Army	810,000	442,200	403,800	...	38,400
XXXV	Military Operations in Egypt	...	935	...	...	935
		70,359,200	35,842,502	35,149,102	...	693,400
	England, including Army, Public Works, &c.	221,200	162,768	148,076	...	14,692
	GRAND TOTAL	70,580,400	36,005,270	35,297,178	...	708,092

* Includes Land Revenue due to Irrigation, which cannot be separated in the Monthly Accounts.

months of the year 1884-85, as compared with the corresponding period of 1883-84.
 starting at £10 to the pound sterling.

	EXPENDITURE.	Estimates, 1884-85.	April 1883 to Oct. 1883.	April 1884 to Oct. 1884.	COMPARISON OF TWO YEARS.	
					Increase.	Decrease.
		£	£	£	£	£
1	Interest on Ordinary Debt †	3,798,300	2,275,580	2,261,186	...	11,394
2	Do. on other Obligations	470,300	90,841	108,052	17,208	...
3	Refunds and Drawbacks	220,400	135,907	107,444	...	28,463
4	Assignments and Compensations	1,240,100	541,496	551,781	13,285	...
5	Land Revenue	3,340,100	1,751,639	1,823,193	71,554	...
6	Opium (including cost of production)	2,352,000	1,580,550	2,618,745	1,068,195	...
7	Salt (do. do.)	521,700	280,821	273,613	...	7,208
8	Stamps	85,600	46,381	50,629	4,248	...
9	Excise	98,600	53,812	56,169	2,357	...
10	Provincial Rates	53,000	30,361	28,721	...	1,640
11	Customs	142,000	70,382	81,411	2,029	...
12	Assessed Taxes	13,800	9,200	8,484	...	716
13	Forests	724,000	300,356	324,448	24,092	...
14	Registration	176,500	103,679	104,175	496	...
15	Post Office	1,146,500	651,089	642,931	...	8,158
16	Telegraph	628,700	274,797	287,934	13,137	...
17	Mint	73,400	42,079	42,368	289	...
18	General Administration	1,343,200	755,343	770,143	14,800	...
19	Law and Justice	3,376,700	1,849,836	1,881,054	31,222	...
20	Police	2,793,900	1,530,069	1,575,549	86,480	...
21	Marine (including River Navigation)	381,000	191,915	182,264	...	9,651
22	Education	1,237,100	641,830	656,711	14,881	...
23	Ecclesiastical	167,100	89,594	91,218	4,624	...
24	Medical	722,900	400,023	410,428	10,405	...
25	Political	518,200	233,835	318,696	84,861	...
26	Scientific and other Minor Departments	428,600	283,094	287,588	4,494	...
27	Territorial and Political Pensions	675,300	401,517	371,752	...	29,765
28	Civil Furlough and Absentee Allowances	900	405	9,442	9,077	...
29	Superannuation Allowances and Pensions	783,900	456,577	488,100	31,523	...
30	Stationery and Printing	383,300	197,451	209,772	12,321	...
31	Miscellaneous	268,600	169,081	162,412	...	16,669
32	Famine Relief . . . . .	...	5,142	2,184	...	2,958
33	Protective Works—Railways	1,138,600	163,300	539,937	376,637	...
34	Do. do. Irrigation	310,100	147,824	107,956	...	40,768
35	Reduction of Debt	301,300	...	...	...	...
40	Exchange on transactions with London	3,538,100	1,995,967	1,377,752	...	618,215
	<i>Productive Public Works.</i>	33,483,800	17,768,876	18,842,716	1,073,840	...
36	State Railways (Working Expenses)	2,027,700	956,166	1,150,723	200,557	...
	East Indian Railway (Working Expenses)	2,052,500	1,163,731	1,109,403	...	51,329
37	Guaranteed Railways (Surplus Profits, Land and Supervision).	530,000	128,163	70,220	...	57,943
38	Irrigation and Navigation (Working Expenses).	562,100	283,099	315,414	32,315	...
39	Charges in respect of Capital— (c) Guaranteed Railways Interest	5,300	6,948	10,016	3,068	...
	<i>Unproductive Public Works.</i>					
40	State Railways (Capital Account)	166,700	86,901	76,482	...	10,419
41	Do. (Working and Maintenance)	176,700	66,312	88,411	22,099	...
42	Subsidized Railways	66,200	17,473	19,280	1,807	...
	Southern Mahratta Railway	89,500	42,803	83,968	41,075	...
43	Frontier Railways	— 73,400	19,823	90,222	70,399	...
44	Irrigation and Navigation	752,200	373,427	364,766	...	8,661
45	Military Works	919,200	481,750	457,211	...	24,539
46	Civil Buildings, Roads, and Services	3,882,200	2,036,039	1,835,892	...	200,147
47	Army	12,121,300	6,770,154	6,819,192	49,038	...
48	Military Operations in Egypt . . . . .	...	40,004	...	...	40,004
	England, including Army, Public Works, Guaranteed Interest, &c.	56,762,100	30,241,759	31,339,915	1,098,156	...
		13,993,200	9,212,676	9,388,289	175,613	...
		70,755,300	39,454,435	40,728,204	1,273,769	...
	<i>Productive Public Works—Capital Expenditure.</i>					
	In India—					
50	State Railways	1,239,900	821,098	789,791	...	31,247
	East Indian Railway	540,000	188,777	163,165	24,612	...
51	Irrigation and Navigation	948,300	336,161	310,419	...	25,742
52	Miscellaneous Public Improvements . . . . .	...	16,003	...	...	16,003
	In England—					
	State Railways	2,035,700	423,929	1,409,812	985,983	...
	East Indian Railway . . . . .	...	320,726	222,368	...	98,358
	Irrigation and Navigation	500	9,068	3,687	...	5,381
		4,764,400	2,065,702	2,899,362	833,660	...
	GRAND TOTAL	75,520,000	41,520,137	43,627,566	2,107,429	...

† Includes interest on Debt incurred for Productive Public Works, which cannot be ascertained in the Monthly Accounts.

COMPTROLLER GENERAL'S OFFICE.

Account of Security Deposits held by the Comptroller General in trust for Civil Officers on the 31st December 1884, published in conformity with paragraph 12 of Financial Notification No. 276, dated 30th April 1880.

Number.	Name of Person or Fund on whose behalf held.	AMOUNT OF INVESTMENT.						Name of Officer to whom Interest is sent.
		3½ per cent., 1863-64.	4 per cent., 1872-73.	4 per cent., 1885.	4½ per cent., 1870.	4½ per cent., 1879.	TOTAL.	
1 & 32	Bhopal Water Works Endowment Fund.			3,29,000			3,29,000	Political Agent, Bhopal.
37	Security of Treasurer			20,000			20,000	Do. do.
2 & 7	Do. do.			2,500			2,500	Resident in Nepal.
9	Do. of Head Store-keeper			5,000			5,000	Executive Commissariat Officer, Port Blair.
15	Do. of Treasurer			2,000			2,000	Treasury Officer, Port Blair.
4	Jeyapore College			1,000			1,000	Agent, Governor General, Rajputana, Resident, Eastern Rajputana States.
4	Chaplain, Nassecrabad			100			100	Treasury Officer, Ajmere.
4, 9 & 47	Mayo College Accumulated and Endowment Fund.			6,21,500			6,21,500	Do. do.
4	Ajmere Dispensary Fund			4,000			4,000	Do. do.
4	Masuda do. do.			1,500			1,500	Do. do.
4	Todgosh do. do.			1,500			1,500	Do. do.
4	Police Clothing Fund			5,000			5,000	Do. do.
12	For repairs of Captain Faldwin's tomb			100			100	Do. do.
11, 30, 26 & 36	Miner Appachattolana Subbopiah			8,700	...	600	9,300	Superintendent and Treasury Officer, Coorg.
11	Do. Bellingowdah			1,300			1,300	Do. do.
11	Do. Chamarasa			1,200			1,200	Do. do.
11	Do. Mallappah			500			500	Do. do.
11	Do. Vengataramiah			1,100			1,100	Do. do.
11	Do. Santhappah			500			500	Do. do.
11	Do. Rungiah			600			600	Do. do.
26	Do. Shivachurada Thapatanally Sid. Ingapah. . . . .			...	...	700	700	Do. do.
60	Civil Dispensary, Mercara			3,000			3,000	President of Mercara Municipal Committee and Civil Surgeon.
13	Dispensary Fund, Verajundrapet			1,900			1,900	Superintendent of Coorg.
13	Municipal Funds, do.			1,100			1,100	Do. and Commissioner of Coorg.
75	President and the Vice-President of the Mercara Municipality.			1,400			1,400	Commissioner of Coorg.
76	Fraser Endowment for the Fraserpet School.			500			500	Do. and the Inspector of Schools, Coorg.
19	Northbrook Medal Fund			2,000			2,000	Master of the Mint and Director of Public Instruction, Punjab.
39, 50, 59 & 71	Estate of Haji Hani Haneefa Bhai, widow of Haji Curroon.			1,18,000			1,18,000	Cantonment Magistrate and Judge, Co of Wards, Secunderabad.
28	Mesara. Nowroji, Pentonji & Co., Government Salt Agent.			1,00,000			1,00,000	Assistant Commissioner, Inland Customs, Sambhar.
58	Security of Treasurer, Sambhar Treasury. . . . .			...	...	75,000	75,000	Assistant Commissioner, Northern Inland Revenue, Sambhar.
30	Rao Bahadur Roahun Singh			1,50,000			1,50,000	Political Agent, Brodeikhand, Nowgong.
33, 35, 42 & 78	Bundelkhand Rajkumar College			65,000			65,000	Do. do. do.
34	Prince of Wales Recovery Fund			2,400			2,400	Do. do. do.
40 & 67	Security of Treasurer			50,000			50,000	Treasury Officer, Indore.
74	Dhar Leper Hospital			10,000	10,000	...	10,000	Do. do.
50 & 69	Maunpore Agency Road Fund			47,000	...	3,000	50,000	Do. do.
16	Mutauli, Resident's Office			1,000			1,000	Extra Assistant Commissioner, Hyderabad.
17	Ajmere Government College			2,400			2,400	Commissioner, Ajmere-Merwara.
38	Security of Treasurer			10,000			10,000	Resident, Gwalior.
56	Cantonment Fund			10,000			10,000	President, Cantonment Committee, Mh.
57	Ahmed, son of Ali Ahmed Jumani . . . . .			...	...	12,900	12,900	Political Agent and Consul, Muscat.
68	Abu and Annundin Dispensaries			5,000			5,000	Superintendent General of Dispensaries and Vaccination in Rajputana.
74	Residency School Fund			37,500			37,500	Agent, Governor General, for Central India.
64	Bullion-keeper, Calcutta Mint			50,000			50,000	Mint Master, Calcutta.
113	Superintendent of Coorg, on account of Mercara Dispensary.			1,000			1,000	No Interest drawn.
137	Commissioner of Coorg, on account of Thomson Price Fund. . . . .			...	...	1,000	1,000	
145	Superintendent of Coorg, on account of Central School Endowment Plantation.			1,000			1,000	
8, 18, & 27	Investments of value of lost Currency Notes held on account of various individuals.			16,65,800	10,000	93,200	17,69,000	Comptroller General's Trust Account.
10	Persian Famine Relief Fund			84,600	...	200	84,800	Do. do.
43	Security of Cashier, Government Printing Office.			5,000			5,000	Do. do.
45	Lost Promissory Notes, Jafar Ali Khan, Lucknow.			10,000			10,000	Do. do.
46, 68, & 72	Security of Treasurer, Currency Office . . . . .	...	500	41,100	...	500	42,100	Do. do.
48, 51, 52 & 62	Deposits of do. do. . . . .	...	500	24,900			25,400	Do. do.
49	Lost Promissory Notes, Syama Sundari Chowdram.	10,000					10,000	Do. do.
70	Security Deposit of Mr. Bruce Ellis			5,000			5,000	Do. do.
53	Hindu Family Annuity Fund			1,50,000			1,50,000	Do. do.
61, 63, 64 & 65	General Family Pension Fund			10,10,000			10,10,000	Do. do.
77	Bengal Christian Family Pension Fund			2,18,000	2,000	...	2,20,000	Do. do.
73	Security of Treasurer, Paper Currency, Allahabad.			1,00,000			1,00,000	Do. do.
90	Lost Currency Notes, Moty Lal Roy.			500			500	No Interest drawn.
84	Do., Shaik Bhadoo Biswas.			600			600	
84	Do., Moulvi Ahmed Ali.			800			800	
109	Do., Ram Gopal Mitter.			1,000			1,000	
84	Balances of Government Agency			1,000			1,000	

RENT of Government Promissory Notes enforced for payment of Interest in London, under deduction of amount re-transferred to India, and outstanding in the Banks of the Bank of Bengal on the 15th February 1885.

PARTICULARS.	4 PER CENT. LOANS					4½ PER CENT. LOANS			TRANSFER LOAN OF 1879, SEVEN SHILLINGS PER CENT. PORTION.	A PERCENT. LOAN OF 1866-87.	GRAND TOTAL.
	3½ PER CENT. LOAN OF 1883-84	OF 1885-86.	OF 1882-83.	OF 1884-85.	Transfer of 1866.	Reduced 4 per cent. Loan of 1879.	TOTAL.	OF 1879.	TRANSFER LOAN OF 1879, 4½ PER CENT. PORTION.		
1st January 1885	64,100	28,20,400	2,33,79,000	98,36,900	2,97,80,737	2,9,43,100	9,11,62,843	45,69,400	10,12,36,000	1,24,000	20,66,16,943
enforced at Madras between 1st and 15th February 1885			10,500		49,500	3,000	62,000	7,000	33,000		1,02,000
enforced at Bombay between 1st and 15th February 1885				2,000	10,000		12,000		1,000		13,000
enforced at Calcutta between 1st and 15th February, 1885		1,600	1,60,800	5,000	1,46,300	27,300	3,41,600				8,41,600
written off in the London Registers	64,100	28,21,900	2,34,40,300	98,43,900	2,99,86,087	2,39,73,600	9,16,68,443	46,75,400	10,12,70,000	1,24,000	20,70,73,443
15th February 1885			4,58,800	46,000	1,55,500	64,300	7,06,000	9,000	4,15,000		11,30,800
	13,08,708	28,21,900	2,30,80,700	97,97,900	2,98,80,537	2,39,08,700	9,08,63,443	46,66,400	10,08,55,000	1,24,000	20,69,42,943

NOTE.—From 9th June 1887 to 15th Dec. 1884, enforced from India 5,079 lakhs; re-transferred from London 4,359 lakhs.

16th Dec. 1884 to 31st "	"	"	"	"	"	"	"	"	"	"	"
1st Jan. 1885 to 15th Jan. 1885	"	"	"	"	"	"	"	"	"	"	"
16th " to 31st "	"	"	"	"	"	"	"	"	"	"	"
1st Feb. " to 15th Feb. "	"	"	"	"	"	"	"	"	"	"	"

4,352 lakhs.

5,095 lakhs.

4,352 "

5,095 lakhs.

Balance against India . 703 lakhs.

PUBLIC DEBT OFFICE,

BANK OF BENGAL;

15th February 1885

R. HARDIE,
Secretary and Treasurer.

Statement of the Affairs of the Bank of Bengal for the week ending 24th February 1885.

LIABILITIES.				ASSETS.			
	R	a.	p.		R	a.	p.
Capital paid-up	2,00,00,000	0	0	Government Securities	58,77,293	6	0
Reserve Fund	41,59,251	4	4	Other authorized Investments	36,79,182	8	0
	R	a.	p.	Loans on Government and other authorized Securities	87,81,343	7	8
Public Deposits at Head Office	62,78,753	6	10	Accounts of Credit on Government and other authorized Securities	80,36,487	6	8
Public Deposits at Branches	1,26,11,597	13	11	Bills discounted and purchased	1,80,61,514	12	4
Other Deposits at Head Office and Branches	2,70,48,626	11	2	Balances with other Banks	3,16,660	6	0
Bank Post Bills, &c.	4,65,831	7	3	Bullion	3,13,489	12	5
Sundries	11,79,049	14	4	Dead Stock	11,67,591	6	1
				Stamps	8,296	14	0
				Sundries	7,67,578	7	9
					4,70,12,438	6	11
					R	a.	p.
				Cash and Currency Notes at Head Office	80,68,201	0	2
				Cash and Currency Notes at Branches	1,66,62,471	2	9
					2,47,30,672	2	11
					RUPES		
					7,17,43,110	9	10
					RUPES		
					7,17,43,110	9	10

BANK OF BENGAL,
Calcutta, 26th February 1885.

D. FRASER,
Offg. Chief Acctt.

By order of the Directors,
R. HARDIE,
Secy. & Treasurer.

Rate for Demand Loans 7 per cent.
Percentage 51.9.

NOTICE.

Sealed tenders will be received by the Superintendent, Reserve Remount Depot, Hosur, in the Madras Presidency, for the supply of iron hurdles as described below, up to Monday, the 2nd March 1885:—

300 iron hurdles, each 10 feet long × 4 feet high above ground, and 18 inches below ground, with 6 horizontal tubular rails, all one inch external diameter, side $1\frac{1}{2}$ inch × $\frac{5}{8}$ inch, and middle upright for each hurdle $1\frac{1}{2}$ inch × $\frac{5}{8}$ inch flat.

The tenders should clearly state the cost of each hurdle delivered at the Malloor Railway Station, on the Bangalore Branch Line of the Madras Railway, and the time during which the hurdles will be delivered after the notice of acceptance of tender has been made known to the tenderer.

H. W. RAWLINS, *Lieut.-Colonel,*
Offg. Supdt., Reserve Remount Depot.

REMOUNT DEPOT, HOSUR,
The 2th February 1885.

WANTED

A Translator and Clerk of the Court for the Court of the Commissioner of Ajmere. Salary Rs80 per mensem.

Applicants must possess a thorough knowledge of English and Vernacular and be able to translate, efficiently, Urdu into English, and *vice versa*. He must also have a good knowledge of the ordinary law books and Acts of the Legislature.

Preference will be given to a person who has passed the Pleader's Examination.

Application stating age with copies of testimonials to be addressed to the undersigned.

No replies will be sent to rejected candidates.

W. G. B. R. A. T.

POST OFFICE.

NOTIFICATIONS.

Calcutta, the 16th February 1885.

From the 1st March 1885, applications will be received from the public at all Head Post Offices and Selected Sub-Offices to telegraph particulars of foreign money orders to the Indian offices* of exchange. The orders regarding which particulars are so telegraphed will then be advised by post to the foreign countries of payment, by the Indian offices of exchange, in the same way as ordinary foreign money orders. It should be clearly understood that the orders will be telegraphed only as far as the Indian office of exchange and not to the foreign country of payment.

2. These rules will apply to money orders drawn upon any of the foreign countries, British Colonies or Native States with which foreign money orders are exchanged by India. The general conditions governing the issue of foreign money orders, as detailed in the *Postal Guide*, will apply to orders advised by telegraph, except that the charges on such orders will be as detailed below.

3. The remitter of a foreign money order, advised by telegraph under these rules, will be required to pay:—

(a) The equivalent in Indian currency of the value of the order, according to the schedule in force for the time being:

- (c) Commission on the value of the order, at the prescribed rate. For foreign orders expressed in sterling, this rate of commission will be—

	Rs.	a.
On sums not exceeding £ 2	0	0
" " exceeding £ 2 but not exceeding £ 5	0	12
" " " £ 5 " " " £ 7	1	2
" " " £ 7 " " " £ 10	1	8
" " " £ 10 " " " £ 12	1	14
" " " £ 12 " " " £ 15	2	4
" " " £ 15 " " " £ 17	3	10
" " " £ 17 " " " £ 20	3	0

4. The remitter of a foreign money order advised by telegraph under these rules, should fill up the prescribed form and write across it the words "By Telegraph." The form should then be presented at the Post Office, together with the amount payable.

6. Foreign sterling money orders drawn upon the United Kingdom, the continent of Europe, America or the West Indies, cannot be advised by telegraph from any Post Office on the day fixed for the departure of the foreign mail steamer from Bombay.

The 20th February 1885.

CORRESPONDENCE FOR THE INDIAN FIELD FORCE, EGYPT.

An Indian Post Office will accompany the Indian Field Force proceeding on active service to Egypt.

2. Correspondence intended for the Indian Field Force, Egypt, should be addressed as follows:—

"A. B.

(Regiment, Ship, or Office,)

Indian Field Force,

EGYPT."

No Post-town should be added to the address, and special care should be taken to insert the Regiment, Battery, Ship or Office with which the addressee is serving.

3. Prepayment of correspondence intended for the Indian Field Force is compulsory.

4. The rate of postage for letters sent from India to Officers, Non-Commissioned Officers, and men of the Native Army, and to persons included under "Mustered Establishments" is nine pies for each letter not exceeding one-half ounce or $1\frac{1}{2}$ of a tola in weight. Not only must such letters be prepaid, but the addressee must show the Regiment to which the persons addressed belong. In the case of Mustered Establishments, which include the marginally* noted persons, the address must show their designations, and the Regiment to which they are attached,

* Hospital and
Bazar estab-
lishments.
Munshis.
Lascars.
Cooks.
Sweepers.
Bhistis.

as under:—

"KARIM BAKSH,

Bhisti,

28th Bo. N. I.,

Indian Field Force,

EGYPT."

5. Letters addressed to camp-followers cannot be sent at the nine-pie rate, and such letters will, therefore, be charged at the ordinary rate to Egypt, viz., 3 annas.

6. No British troops are being sent from India to Egypt, but letters addressed to British soldiers and Seamen, or to any of the privileged class mentioned in clause 190 of the *Indian Postal Guide*, who may be serving in Egypt, will be sent of course at the special rates, subject to the conditions laid down in that clause and the following clauses.

7. Articles intended for persons other than the above will be charged at the ordinary postage rates mentioned opposite to "Egypt" in the Foreign Post Schedule of the *Postal Guide*.

8. Official correspondence for the Indian Field Force will be governed by the same rules as ordinary private correspondence for Egypt. It should be prepaid by service postage labels under the superscription and signature prescribed in clause 353 of the *Postal Guide*.

9. Money orders will be exchanged with the Indian Field Force under the rules governing the exchange of Asiatic money orders (clauses 261 to 265 of the *Postal Guide*).

10. Parcels may be forwarded to the Indian Field Force under the rules governing the despatch of foreign parcels from India, and they should be addressed in the same way as correspondence.

11. Insured and value-payable articles cannot be received for despatch to the Indian Field Force, Egypt. India Postal Notes will be sold, but not paid, by the Field Post Office.

The 25th February 1885.

No. 13781.—Mr. G. J. Hynes, Assistant Director General of the Post Office, resumed charge of his duties on return from privilege leave on the 17th February, before noon.

A. U. FANSHAWE,

Offg. Director General of the Post Office of India.

Unclaimed Letters held in the Calcutta General Post Office on 24th February 1885.

Abdon, C. J.	"Harrison Line" Steam Mails, Mrs.
Barton, George Charles.	Shipping Co.'s Agents, Rende, Iron.
Casper, Thornhill.	Hembrough, F. M.
Davidson, A. G.	Johnstone, Dutt & Co.
Dugal & Co.	Idewhellin, C. A.
Goodhart, Chas. F.	Middleton, T. B.
Gordon, G. L.	Mills, F.
Hardis, Edw.	Watson, D. S.

Letters marked "Care of Post Office."

"Aedipus."	Haughton, G.	Peters, L. C.
Alexander, D. D.	Heberlet, A. F.	Petley, W. A.
Allen, Alex.	Hillary, W.	Peyles, Michel G.
Beech, R.	Hodgson, Richard.	Radu, Moner. T.
Blair, John S.	Hordern, Mrs. Peter.	Radwell, Chas. H.
Brigg, E. A.	Huddleston, John E.	"Rex."
Brior, Sarah.	Lealie.	Richardson, H.
Burke, Sir Henry.	Huhne, John.	Richmond, J. H.
Burke, Miss A. L.	Hull, W.	Rose, A. M.
Caolpoora, Mr.	Issac, Mr.	Sandland, Thomas J.
Carlisle, J. T.	Joanilo, T.	Schwartz, O. E. R.
Cass, Mrs. S. F.	Keller, Oskar.	Shaw, Nathaniel L.
Clerley, Maria.	Lancez, Mrs. W.	Smith, T. R.
Cohen, Elias A.	Latham, Thomas.	Spear, George.
Cowan, Andrew.	Liddell, Edward.	Steel, John.
Dalsell, John.	Lubbach, J. B.	Thomassen, E. S.
Duffy, E.	Matson, E.	Thruswell, A.
Edwards, Rev. Bomboy.	Mills, Fredric.	Towers, Miss Rosa.
Ferguson, Alex. A.	Mirasia, Giuseppe.	Trafford, H. E.
Flaher, Auguston.	"Nalui."	Wood & Co., R.
Gray, Mrs. Marrie.	O'Connell, Condr.	Young, W.
Grin, Otto.	Owen, L. C.	Zillhardt, Mrs.
Hathway, S. L.	Pate, Fred.	

Registered Letters.

Bashford, F.	Garstin, Mrs. A. M.	Kelly, M.
Crothwaite, Mrs. M.		

E. HUTTON,

Presidency Postmaster, Calcutta.

*Unclaimed Letters held in the Barrackpore Post Office
on the 23rd February 1885.*

Begum, M. S.	Farrar, H.	Landale, J.
Brind, M. J.	Forbes, Mrs. W. A. G.	Seey., Serjts. Mess.
Burdett, Rev. W. J.	Francis, J. W.	Smith, J.
Caso, Flinnore.	Hamperon, A. G. H.	Toddy, C. F.
Chatterji, Sre Ram.	Henderson, G.	Toker, C.
Ducan, W.	Horden, Major A.	

A. P. GHOSAL,

Postmaster, Barrackpore.

The 28th February 1885.

It is hereby notified for general information that the following Mail Despatches to Ceylon will be made from the Calcutta General Post Office during March 1885:—

DATE OF CLOSING.	ROUTE.
3rd March 1885	By P. & O. Steamer from Bombay.
3rd March 1885*	By B. I. S. N. Co.'s private vessel.
7th March 1885	By P. & O. Steamer from Calcutta.
15th March 1885*	By Star Line private vessel.
17th March 1885*	By B. I. S. N. Co.'s private vessel.
17th March 1885	By P. & O. Steamer from Bombay.
21st March 1885	By P. & O. Steamer from Calcutta.
27th March 1885	By French Steamer.
31st March 1885	By P. & O. Steamer from Bombay.

* These dates are subject to alteration in the event of departure of the vessel being delayed.

N.B.—The letter-box will close at 7 P.M. precisely, after which hour, letters fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

The rate of postage on letters conveyed by private vessels is two (2) annas per ½ oz. (prepayment compulsory).

The postage on letters conveyed by the P. & O. and French steamers is three (3) annas per ½ oz. (prepayment optional).

The 28th February 1885.

SEA AND FOREIGN MAILS.

Foreign Mails for	Date of closing at Calcutta.	Per Steamer
Madras and Ceylon	1885. 7th March	P. & O. Str. <i>Roverna.</i>
Colombo, Penang, Singapore, Hong-Kong, Shanghai, Yokohama, and Australian Colonies	3rd "	From Bombay.
Foreign Mails via Bombay	3rd "	From Bombay.*
Do. Book Post and Pattern Packets	2nd "	From Bombay.
Bangoon and Moulemein	4th "	Str. <i>Pemba.</i>
Chittagong, Akyab, Kyauk Phyo, Sandoway, and Bangoon	4th "	Str. <i>Calcutta.</i>

* Also for Cape Colonies through United Kingdom, can be forwarded

N.B.—The letter-box will close at 7 P.M. precisely, after which hour, foreign letters, fully prepaid and bearing an extra postage stamp of four (4) annas on each cover, will be received up to 7-30 P.M.

E. HUTTON,

Presidency Post Master.

**METEOROLOGICAL PUBLICATIONS
FOR SALE.**

At the Meteorological Office, No. 5, Russell Street; also at Messrs. Thacker, Spink & Co., or at Messrs. Brown & Co., at the prices specified below:—

Report on the Meteorology of India in 1875, 4to, 89 pages text, 297 pages tables, 8 charts	R	a.	p.
Report on the Meteorology of India in 1876, 4to, 97 pages text, 340 pages tables, 3 charts	8	0	0
Report on the Meteorology of India in 1877, 4to, 193 pages text, 375 pages tables, 3 charts	8	0	0

Report on the Meteorology of India in 1882, 4to, 152 pages text, 298 pages tables, 8 charts	8	0	0
Indian Meteorological Memoirs, Vol. I, Part I, 4to, 118 pages, 9 plates	2	8	0
Indian Meteorological Memoirs, Vol. I, Part II, 4to, 63 pages, 4 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part III, 4to, 86 pages, 2 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part IV, 4to, 62 pages, 8 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part V, 4to, 57 pages, 10 plates	1	8	0
Indian Meteorological Memoirs, Vol. I, Part VI, 4to, 62 pages	1	8	0
Indian Meteorological Memoirs, Vol. II, Part I, 4to, 78 pages, 9 plates	1	8	0
Indian Meteorological Memoirs, Vol. II, Part II, 4to, 69 pages, 9 plates	1	8	0
Indian Meteorological Memoirs, Vol. II, Part III, 4to, 68 pages, 3 plates	1	8	0
Report on the Vizagapatam and Backergunge Cyclones, October 1876, 4to, 87 pages, 4 plates	2	0	0
Report on the Madras Cyclone of May 1877, 4to, 117 pages text, 97 pages tables, 5 plates	2	8	0
Rainfall Chart of India showing the average annual distribution of rainfall (in colors)	0	8	0
Rainfall Map of India (in two sheets, scale 64 miles to the inch), showing the annual distribution of rainfall (in colors)	3	0	0
Register of Original Observations of six stations in India for 1879, corrected and reduced	2	8	0
Register of Original Observations of six stations in India for 1880, corrected and reduced	2	8	0
Register of Original Observations of six stations in India for 1881, corrected and reduced	2	8	0
Register of Original Observations of six stations in India for 1882, corrected and reduced	2	8	0
Register of Original Observations of six stations in India for 1883, corrected and reduced	2	8	0
The Indian Meteorologist's Vade Mecum, Part I [Instructions to Observers]	3	0	0
The Indian Meteorologist's Vade Mecum, Part II [The Meteorology of India]	5	0	0
Tables for the Reduction of Meteorological Observations in India	2	0	0

HENRY F. BLANFORD,

Meteorological Reporter
to the Government of India.

THE INDIAN LAW REPORTS.

PUBLISHED UNDER AUTHORITY.

The Indian Law Reports, published under the authority of the Governor General in Council, appear in monthly parts, published as soon as possible after the first of each month, at Calcutta, Madras, Bombay, and Allahabad, and comprise four series,—one for the Calcutta High Court, a

second for the Madras High Court, a third for the Bombay High Court, and a fourth for the Allahabad High Court. The cases heard by the Privy Council on appeal from each High Court are reported in the series for that High Court. Cases heard by the Privy Council on appeal from Provinces in India not subject to any High Court are reported in the Calcutta Series.

The Calcutta Series is distributed by the Bengal Secretariat; the copies for subscribers registered by Messrs. Thacker, Spink & Co. are distributed by that firm; and the Madras, Bombay and Allahabad Series are distributed direct from Madras, Bombay, and Allahabad respectively.

In supersession of previous advertisements, on and from the 1st January, 1885, the terms of subscription and sale will be as follows:—

Terms of subscription, payable annually in advance
For the Complete Series, including postage . R22 8

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 „ Thacker & Co., Bombay.
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 The Government Central Book Depot, Bombay.
 „ Curator of Government Books, North-Western Provinces and Oudh.
 „ Superintendent of Government Printing, Bengal.

Orders and subscriptions for 1885 should be at once remitted.

NOTICE.

Indian Law Reports.

Advertisements will be received for publication on the wrappers of the Indian Law Reports, Calcutta Series, by the Calcutta Central Press Company, "Limited," 5—1, Council House Street, at the following rates, payable in advance:—

	One page.	Half page.	Quarter page.
For one issue	R 15	R10	R 6
„ three issues	„ 40	„ 25	„ 14
„ six „	„ 70	„ 40	„ 25
„ twelve „	„ 110	„ 70	„ 45

At these rates the advertisers will have the option of changing their advertisements in each issue.

THE BENGAL LAW REPORTS.

A few sets of the Bengal Law Reports (Volumes 1 to 15) are available at Messrs. Thacker, Spink & Co., Calcutta, at Rs75 a set.

A Manual of Reference to the Examinations in Oriental languages, with the latest orders of Government, and specimen papers of the various studies. By Lieutenant-Colonel H. S. JAMES. New Edition—2s.

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To Government Officers (except those mentioned below) and to the public at large, Rs4.

To all Officers employed in Government Departments who are in receipt of salaries under Rs500 per mensem, on a certificate being furnished declaring that the book is to be purchased only for the personal use of the officer, Rs3; packing and postage, 8 annas.

Apply to the Superintendent, Commissioner's Office, Ajmer.

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FOR SALE BY THE

Superintendent of Govt. Printing, Bengal,

WRITERS' BUILDINGS, CALCUTTA.

NOTICE.—Books required for private use only can be purchased. Applications should be accompanied by a remittance, unless it is wished that the books should be sent by value-payable post, in which case, besides the ordinary postage, an additional charge will be made for registration and commission.

Books required for the public service should be obtained through the Heads of Departments.

⚡ The amounts within parenthesis are for packing and postage.

GENERAL DEPARTMENT.

Code of Regulations for European Schools in Bengal for 1884-85. Rs1 (1a. 6p.)

Seven Grammars of the Dialects and Sub-Dialects of the Behari Language. By G. A. Grierson, C.S.

Part I.—Introduction.

Part II.—Bhojpuri Dialect.

Part III.—Magadhi Dialect.

Rs1-4 (2a.) each.

Rules under the Inland Emigration Act I of 1882, 8a. (3a.)

Annual Report on Inland Emigration for 1883. Rs1 (3a.)

MARINE.

Abstract of the Rules of the Road at Sea in Tamil. Rs1 (1a. 6p.)

Ditto ditto in Telegu. Rs1 (1a. 6p.)

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Bengal Administration Report for 1883-84. Rs6 (10a.)

Map of Bengal, 1873. Rs2 (2a.)

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FINANCIAL DEPARTMENT.

Report of the Excise Commission, 1883-84. Vols. I and II. Rs8 (8a.)

Bengal Census Report, 1881. Rs16 (Rs1-14.)

Report on the Dyes and Tans of Bengal. By H. W. M'CANN, M.A., D.S.C. Full bound, cloth. Rs2-8 (3a. 6p.)

Family Medicine for India. Third Edition. By Surgeon-Major MOORE. Super-royal 8vo, full cloth. Rs4 (6a.) to Government Officers and to the public at large, Rs3 (6a.) to Government Officers on receipt of salaries under Rs500 per mensem, on their certifying that the book is to be purchased for their personal use.

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Vol. III. Midnapur, Hughli, and Howrah.

Vol. IV. Bardwan, Bankura and Hishum.

Vol. V. Dacca, Bakarganj, Faridpur and Maimansing.

Vol. VI. Chittagong Hill Tracts, Chittagong, Noakhali, Tipperah and Hill Tipperah.

Vol. VII. Maldah, Rangpur and Dinagepur.

- Vol. VIII. Rajshahi and Bogra.
 Vol. IX. Murshidabad and Pabna.
 Vol. X. Darjiling, Jalpaiguri and Kuch Behar State.
 Vol. XI. Patna and Saran.
 Vol. XII. Gaya and Shahabad.
 Vol. XIII. Tirhut and Champaran.
 Vol. XIV. Bhagalpur and Santal Parganas.
 Vol. XV. Monghyr and Purniah.
 Vol. XVI. Hazarihagh and Lohardaga.
 Vol. XVII. Singbhum, Tributary States, and Manbhum.
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 Vol. XIX. Puri and Tributary States of Orissa.
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 List of Officers of the Public Works Department, Bengal. Corrected up to 1st October 1884. 6a. (1a. 6p.)
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REVENUE.

- Rules for the Guidance of Officers in the administration of the Salt Department. Rs 1-4 (3a.)
 Board's Rules, or Rules for the guidance of Officers engaged in the administration of the Revenue Department in the Lower Provinces of Bengal. Vols. I and II. Rs 4 (5a.) and Rs 3 (5a.) Interleaved copies, Rs 5 (8a.) and Rs 3-8 (8a.) respectively. Printed slips containing alterations and additions will be available to purchasers monthly at Rs 2 per annum, including postage.

- Rules for the Guidance of Officers in the Opium Department. Rs 3 (2a.)

- Bengali Translation of the Revised Salt Manual. 4a. (6p.)

- Bengal Embankment Manual. Rs 2. With Map. Rs 3 (4a.)

- Memorandum on the Revenue History of Chittagong. By H. J. S. COTTON, C.S.. Rs 2-4 (4a.)

Village Directory of the Presidency of Bengal—

- Vol. I. Burdwan.
 Vol. III. Beerbhoom.
 Vol. V. Hooghly.
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 Vol. XVI. Pubna.
 Vol. XXI. Backergunge.
 Vol. XXIV. Noakhali.
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MISCELLANEOUS.

- List of the Trees, Shrubs, and large Climbers found in the Darjeeling District, Bengal. Rs 1-8 (1a.)

- Reports on the Effects of Artificial Respiration, Intravenous Injection of Ammonia, and Administration of various Drugs, &c., in India and Australian Snake-poisons. Rs 3 (4a.)

- A Report on the District of Jessore: its Antiquities, its History and its Commerce. By J. WESTLAND, Esq., C.S. Rs 3 (3a.)

- Report of the Vizagapatam and Backergunge Cyclones of October 1876. Rs 3 (4a.)

- Winds of Northern India. Rs 1 (2a.)

- Manual of Materia Medica, in Urdu. By SHAIK AKBAR ALLY. 8a. (2a.)

- Buddha Gaya, the Hermitage of Sakya Muni. Rs 30 (Rs 1-4.)

- Further Notes on the Rungpore Records, Vol. II. By E. G. GLAZIER, C.S. Rs 1 (2a.)

- Selection of Papers regarding the Hill Tracts between Assam and Burma, and on the Upper Brahmapooter. Rs 5 (4a.)

- Descriptive Ethnology of Bengal. By Colonel EDWARD TUTE DALTON.

- Bound copies Rs 45
 Unbound copies Rs 35



The Gazette of India.

PUBLISHED BY AUTHORITY.

CALCUTTA, SATURDAY, FEBRUARY 28, 1885.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III.

Advertisements and Notices by Private Individuals and Corporations.

NOTICE.

Pursuant to a decree of the High Court of Judicature at Fort William in Bengal in its Ordinary Original Civil Jurisdiction made in suit No. 27 of 1884, wherein the Administrator General of Bengal, administrator *de bonis non* with Will annexed of the late Lieutenant-Colonel John Byrne, C.B., formerly of Her Majesty's 53rd Regiment, deceased, is plaintiff, and the Anchor Reversionary Company, Limited, incorporated under the Joint Stock Companies Act, 1856, and having its Registered Office in England, Walter John Johnson, residing at the Cantonments, Agra, in the North-Western Provinces of India, and William Byrne Johnson and John Byrne Johnson, both at present residing at No. 3, Abbey Mead Tavistock, in the County of Devonshire in England, infants under the age of 18 years, are defendants by W. R. Fink, their guardian, the creditors of the said Lieutenant-Colonel John Byrne, deceased, who died at Simla, in the North-Western Provinces, on or about the 21st July 1851, are, on or before the 18th day of April 1885, to send to the Office of the Registrar on its Original Side, their names, addresses, and descriptions, the full particulars of their claims, a statement of their accounts, and the nature of the securities, if any, held by them, or in default thereof they will be peremptorily excluded from the benefit of the said decree.

Every creditor holding any security may produce or transmit the same to the Registrar with the particulars of his claim, or shall produce the same before the sitting Judge exercising Original Jurisdiction in the Court House on Saturday, the 25th day of April 1885 at 11 o'clock, in the forenoon, being the time appointed for adjudicating on the claims.

Dated this 18th day of February 1885.

R. BELCHAMBERS,
Registrar.

ROBERTS, MORGAN & Co.,
Plaintiff's Attorneys.

PROMISSORY NOTES.

Lost

The Government Promissory Note No. 103833, of the 4 per cent. of 1842-43, for Rs1,000, standing in the name of Prosunno Coomar Mitter, the proprietor, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietor.

PROSUNNO COOMAR MITTER,
Shibpore, Howrah.

Stolen

The Government Promissory Note No. 060886, of the reduced 4 per cents. of 1879, for Rs500, standing in the name of Sukhatara Bannerjee, the proprietress, by whom it was never endorsed to any other person. Payment of the above note and the interest thereupon have been stopped at the Public Debt Office, Bank of Bengal, and application is about to be made for the issue of duplicate in favour of the proprietress.

SASIPADA BANNERJEE,
Father of the proprietress.

BARANAGAR,
The 18th February 1885.



The Gazette of India.

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CALCUTTA, SATURDAY, FEBRUARY 28, 1885.

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PART IV.

Acts of the Governor General's Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

[Second Publication.]

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 20th February, 1885, and is hereby promulgated for general information:—

ACT No. VII OF 1885.

An Act to amend the law in force in the Páñch Maháls.

WHEREAS it is expedient that the law in force in the territory comprised in the Páñch Maháls should, on and from the first day of May, 1885, be the same as the law in force in the district of Kaira, in the Bombay Presidency, and that the said territory should, on and from that day, cease to be a scheduled district under the Scheduled Districts Act, 1874, and the Laws Local Extent Act, 1874; It is hereby enacted as follows:—

Short title. 1. This Act may be called the Páñch Maháls Laws Act, 1885.

2. (1) Save and except the enactments specified in the schedule hereto annexed, all enactments which, on the first day of May, 1885, are in force in the district of Kaira and not in the Páñch Maháls shall be deemed to come into force in the Páñch Maháls on that day.

(2) All enactments which on that day are in force in the Páñch Maháls and not in the district of Kaira shall be deemed to be repealed on and from that day in the Páñch Maháls.

3. All proceedings commenced before any authority in the Páñch Maháls before the first day of May, 1885, and still pending on that day, shall be disposed of by such authority as the Local Govern-

Territory to cease to be a scheduled district.

4. On and from the first day of May, 1885, the Páñch Maháls shall cease to be a scheduled district; and in Part II of the First Schedule to the Scheduled Districts Act, 1874, and in the same Part of the Sixth Schedule to the Laws Local Extent Act, 1874, the words "The Páñch Maháls" shall be repealed.

Partial repeal of Acts XIV and XV of 1874. XIV of XV of

THE SCHEDULE.

ENACTMENTS EXCEPTED FROM THE OPERATION OF SECTION 2.

Acts of the Governor General in Council.

Number and year.	Title.	Extent of exception.
VIII of 1870	For the prevention of the murder of female infants.	The whole.
XXI of 1881	To amend the law providing for the relief of Thákurs in the districts of Broach and Kaira.	The whole.

Acts of the Governor of Bombay in Council.

Number and year.	Title.	Extent of exception
V of 1862	For the preservation of the Bhágdári and Narwádári Tenures.	The whole.
V of 1879	To consolidate and amend the law relating to Revenue-officers and the Land-revenue in the Presidency of Bombay.	Section 85 and last fifteen words of section 58.

3. With regard to the question of jurisdiction, the general result of the decided cases is to confine the jurisdiction to the Court of the District Judge and thus to bring on his files a number of suits many of which are unimportant and such as could be equally well decided by the subordinate tribunals. The time of all District Judges is fully occupied by their multifarious duties, and it is very undesirable that the performance of these duties should suffer in consequence of the compulsory institution in their Courts of cases the time and labour expended over which are often entirely disproportionate to the interests at stake.

4. The present Bill has accordingly been prepared. It amends section 265 so as to show plainly that proceedings thereunder are to be by way of a regular suit, and it omits the *Explanation* to the section, thus leaving the question of jurisdiction to be decided by the ordinary rules. The Bill also repeals the last paragraph of section 213 of the Code of Civil Procedure as the omission of the *Explanation* renders that paragraph unnecessary.

The 16th February, 1885.

C. P. ILBERT.

R. J. CROSTHWAITE,
Offg. Secretary to the Government of India.



SUPPLEMENT TO The Gazette of India.

N^o 9. { CALCUTTA, SATURDAY, FEBRUARY 28, 1885.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the GAZETTE may receive the SUPPLEMENT separately on a payment of six Rupees per annum if delivered in Calcutta, or nine Rupees if sent by Post.

No Official Orders or Notifications, the publication of which in the GAZETTE OF INDIA is required by Law, or which it has been customary to publish in the CALCUTTA GAZETTE, will be included in the SUPPLEMENT. For such Orders and Notifications the body of the GAZETTE must be looked to.

GOVERNMENT OF INDIA. PUBLIC WORKS DEPARTMENT. CIVIL WORKS. Irrigation.

REVENUE REPORT OF IRRIGATION WORKS IN THE NORTH-WESTERN PROVINCES FOR 1883-84.

No. 45 I., dated Fort William, the 21st February 1885.

RESOLUTION—By the Government of India, Public Works Department.

Read—

Letter from the Secretary to the Government of the North-Western Provinces and Oudh, No. 204 I., dated 20th January 1885, and enclosures, being the Revenue Report of Irrigation Works in the North-Western Provinces for 1883-84, and a Resolution by His Honor the Lieutenant-Governor reviewing the Report.

OBSERVATIONS.—The results of the working of the canals in the North-Western Provinces, as recorded in the Report under review, are still more favorable than those for the previous year. In 1882-83 the surplus from the revenue assessed was Rs. 18,05,044, but in 1883-84 the clear profits from the assessments, after deducting the charges for maintenance and interest on outlay for Productive Public Works, amounted to Rs. 25,73,133.

2. The assessments for the years 1882-83 and 1883-84 under the principal heads of revenue are compared below :—

Year.	Occupier's rate.	Owner's rate.	Land revenue.	Navigation dues.	All others.	Total.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1883-84	54,05,881	5,84,877	9,49,631	33,742	2,76,605	72,50,736
1882-83	48,98,113	3,14,572	9,49,631	27,655	2,69,212	64,59,183

Two-thirds of the increase in the present year has been derived from occupier's rates, which are directly assessed on the irrigated area. The very considerable increase under owner's rate is said to be chiefly due to a change in the method of assessment. The increase in receipts from navigation is satisfactory. Whilst the gross income has increased by Rs. 7,91,553, the addition to the working expenses has been less than Rs. 70,000, principally under the head of Establishment.

3. The areas irrigated in 1882-83 and 1883-84 were 1,974,175 and 2,297,674 acres, respectively. Of the increase, 85,357 acres were watered in the autumn, and 238,142 acres in the spring crop. In the former season there was a lengthened break in the monsoon, and during the latter there was practically no rain at all; but although the seasons were thus exceedingly favorable for the development of canal irrigation, the early cessation of the monsoon and the absence of rain during the cold season caused the rivers to fall much below their usual level. The efficient distribution of a scanty supply over such a large area is highly creditable, and the Supreme Government fully concurs in the praise bestowed by Sir A. Lyall on the Chief Engineer and officers of the Department for their good work during a most trying year.

4. The net income from the actual receipts of the year was Rs. 42,07,164, giving a return of 6.09 per cent. on a capital of Rs. 6,90,92,987, which represents the outlay on the whole of the irrigation works in the North-Western Provinces, except the Betwa Canal.

5. The balance of unpaid interest and other charges at the debit of the irrigation works has been decreased by the surplus revenue of the year, and by the abolition of interest charges on works other than those classed as Productive, from Rs. 53,78,732 in the previous year to Rs. 17,89,391 at the close of the year under review. It is expected that this small balance will be cleared off by the surplus from the revenue collected in 1884-85.

6. There was an increase in the income from all the canals in 1883-84, but the improvement on the Agra Canal was the most marked—the area irrigated in 1882-83 was 155,887, and in 1883-84, 245,300 acres; whilst the duty per cubic foot of the water consumed had increased from 195 to 311 acres.

7. The balance uncollected on the 30th September 1884 out of a demand of Rs. 64,72,117 amounted to Rs. 37,372.

8. The results obtained from the working of these canals during the year under review are so far in advance of those of any previous year that they may, to some extent, be regarded as exceptional. They were, however, the outcome of much good work, as well as of favorable seasons, and for this reason the Government of India considers it desirable to publish the Review of the operations by the Hon'ble the Lieutenant-Governor, North-Western Provinces, as an appendix to this Resolution.

ORDER.—Ordered, that a copy of this Resolution, and of the Report and Resolution by the Local Government, be forwarded to the Secretary of State, and to the Finance and Commerce and Revenue and Agricultural Departments of the Government of India, for information.

Also, that a copy of this Resolution be forwarded to the Government of the North-Western Provinces and Oudh, Public Works Department, for information and guidance, and to the Local Governments and Administrations noted in the margin, in the Public Works Department, for information, and to the Foreign Department for communication to the Government of Mysore.

Also, that this Resolution and the Resolution of the Local Government be published in the Supplement to the *Gazette of India*.

W. S. TREVOR, Colonel, R.E.,
Secretary to the Government of India.

Appendix to P. W. Dept. Resolution No. 45 I., dated 21st February 1885.

IRRIGATION REVENUE REPORT
FOR THE YEAR ENDING 31st MARCH 1884.

No. 50½ I. of 1885.

GOVERNMENT, N.-W. P. AND OUDH.
PUBLIC WORKS DEPARTMENT.

IRRIGATION BRANCH.

Dated Allahabad, the 5th January 1885.

Resolution by His Honor the Lieutenant-Governor, North-Western Provinces,
and Chief Commissioner of Oudh.

Read—

Irrigation Revenue Report of the North-Western Provinces for the year ending 31st March 1884, by the Chief Engineer, Irrigation Works, North-Western Provinces and Oudh.

RESOLUTION.—The total outlay on the capital account of canals in the North-Western Provinces and Oudh for and to the end of 1883-84 is shown below :—

	Canal.	OUTLAY ON CONSTRUCTION UNDER ALL HEADS.	
		During 1883-84.	To end of 1883-84.
		Rs.	Rs.
Productive Public Works	Upper Ganges	2,68,345	2,79,38,995
	Lower Ganges	8,92,450	2,67,88,693
	Agra	1,61,352	86,83,483
	Eastern Jumna	68,896	29,77,287
	Total outlay on Productive Public Works	13,91,043	6,63,88,458
Minor Irrigation Works	Dún	84	6,37,472
	Rohilkhand and Bijnor	37,555	17,23,807
	Bundelkhand Irrigation Works ... ..	...	82,916
	Ditto ditto Survey	242	1,73,228
	Sardah Canal Survey	447	45,819
	Cawnpore Branch Extension Survey	29,656	41,261
	Total outlay on Minor Irrigation Works	67,984	27,04,529
Productive Public Works (charged to Imperial Funds).	Betwa Canal (under construction) ...	11,65,761	24,39,491
	GRAND TOTAL ...	26,24,783	7,15,32,478

2. The gross assessments of the year amounted to Rs. 72,50,735, or Rs. 7,91,553 more than in 1882-83; whilst the working expenses were Rs. 22,27,581, or only Rs. 69,450 in excess of those of the previous year. The net revenue was therefore Rs. 50,23,155, or 7.26 on the total capital invested, excluding the expenditure on the Betwa Canal, on which the

province does not pay interest. The interest charge on the capital amounted to Rs. 24,50,022 deducting which amount from the net revenue, the assessments exhibit a clear surplus of Rs. 25,73,133, or Rs. 7,68,089 in excess of that obtained in 1882-83, viz., Rs. 18,05,044. In 1881-82 the surplus was Rs. 16,29,189; in 1880-81, Rs. 8,58,645; and in 1879-80, Rs. 2,57,267.

3. The total interest charges from the commencement of irrigation operations in the North-Western Provinces in 1830 to the end of 1883-84 amount to Rs. 4,79,69,086, and the total net receipts realised to Rs. 4,61,79,695; thus leaving a deficit of Rs. 17,89,391, which will probably be cleared off during 1884-85. In 1882-83 the deficit was Rs. 53,78,732; in 1881-82, Rs. 70,88,317; in 1880-81, Rs. 84,08,747; and in 1879-80, Rs. 87,61,044.

4. The actual direct income realised from all sources during the year was Rs. 64,34,745, leaving a balance uncollected of Rs. 37,372 on account of owner's and occupier's rates for 1883-84 and previous years. After paying all expenses, there was a clear surplus of Rs. 17,57,142. In 1882-83 the surplus was Rs. 17,09,585; in 1881-82, Rs. 12,39,625; in 1880-81, Rs. 3,52,297; and in 1879-80, Rs. 9,22,889.

5. The working expenses amounted to Rs. 22,27,581, or an excess of Rs. 69,450 over the previous year. Under Maintenance Charges there was a decrease of Rs. 32,410, but an increase of Rs. 24,920 under Leave and Pension Allowances, of Rs. 17,889 under Tools and Plant, and of Rs. 56,850 under Establishment.

The percentage of working expenses to gross revenue in the statement below shows a marked decrease, except on the Lower Ganges, where the diminished capital outlay entails a larger proportion of general charges being debited to Revenue:—

Statement showing percentage of cost of working expenses to gross revenue.

Year.	UPPER GANGES CANAL.		LOWER GANGES CANAL.		AGRA CANAL.		EASTERN JUMNA CANAL.	
	Revenue.	Per cent.	Revenue.	Per cent.	Revenue.	Per cent.	Revenue.	Per cent.
	Rs.		Rs.		Rs.		Rs.	
1879-80	25,36,779	47.03	...	...	2,11,496	111.34	7,31,302	29.67
1880-81	18,43,798	48.05	13,15,389	33.54	4,84,949	45.35	7,09,091	30.60
1881-82	21,32,884	40.23	15,19,556	35.76	5,38,384	45.25	7,77,297	24.39
1882-83	24,42,835	36.03	15,36,089	43.73	5,82,424	39.38	8,16,577	25.89
1883-84	28,40,019	32.48	16,81,426	41.42	8,18,712	31.00	8,21,088	25.61

The measurements were made and the demand statements prepared by the Irrigation Department at the rate of Rs. 1.55 per 100 acres irrigated. In the previous year the rate was Rs. 1.80 per 100 acres.

The cost incurred by the Civil Department in collecting the water-rate was Rs. 1,67,224, or 3.44 per cent. on the gross collections, against 3.45 per cent. in 1882-83.

6. The canals in the North-Western Provinces consist of 1,394 miles of main lines and 5,806 miles of distributaries, besides 1,476 miles of drainage cuts. The total length, therefore, that has to be maintained is 8,676 miles, distributed as follows:—

Canal.	MILES.			
	Main line.	Distributaries.	Drainage cuts.	Total.
Upper Ganges	445	2,570	923	3,938
Lower Ganges	566	1,889	266	2,721
Agra	140	424	17	581
Eastern Jumna	180	618	270	1,018
Rohilkhand	94	225	...	319
Bijnor	19	14	...	33
Dun	...	66	...	66
Total	1,394	5,806	1,476	8,676

There has been an increase during the year of 10 miles of main canal (Lower Ganges), 210 miles of distributaries, and 73 miles of drainage cuts, or a total length of 293 miles.

7. The irrigated area, 2,297,674 acres, is again the largest on record, having exceeded the previous maximum (1882-83) by 323,499 acres.

The following table gives the areas of "kharif" and "rabi" crops for the last five years :—

Year.	Kharif.		Total acres.	PERCENTAGE.	
	April to September.	October to March.		Kharif.	Rabi.
	Acres.	Acres.			
1879-80	557,486	812,919	1,400,405	39·81	60·19
1880-81	700,587	1,032,109	1,732,696	40·43	59·57
1881-82	706,025	1,209,924	1,915,949	36·85	63·15
1882-83	740,390	1,233,786	1,974,175	37·50	62·50
1883-84	825,747	1,471,927	2,297,674	35·94	64·06

The percentage of "lift" to flow irrigation increased from 24·9 to 25·9, and is accounted for by the great demand there was for irrigation.

8. The percentage of double-cropped area has also increased from 17·6 to 19·2. The increase is chiefly on the Upper Ganges, Agra, and Rohilkhand Canals.

The Lower Ganges shows a slight decrease and the Eastern Jumna Canal a slight increase.

9. The subjoined statement compares the acreage of the principal crops irrigated during the last five years :—

Crop.		1879-80.	1880-81.	1881-82.	1882-83.	1883-84.
		Acres.	Acres.	Acres.	Acres.	Acres.
Kharif	Sugarcane	165,661	135,493	165,019	198,322	155,147
	Rice	75,908	138,224	107,963	104,046	111,612
	Indigo	185,001	195,001	319,627	316,145	294,429
	Cotton	57,471	63,574	64,161	52,493	93,545
Rabi	Wheat	482,703	545,651	727,428	728,885	824,982
	Barley	210,959	262,139	261,688	266,651	286,073
	Gram	18,938	34,511	49,851	48,400	61,123
	Poppy	14,574	17,230	17,140	16,233	16,370

The decrease under sugarcane is due to the market being overstocked from the plentiful supply of the previous year; whilst the decrease under indigo is attributed to the previous late "rabi," which prevented more extensive sowings. The long break in the rains during July and August accounts for the increase under rice and cotton; and also for the large acreage under the inferior "kharif" crops, especially maize and "juár," which respectively show increases of 55,241 and 34,930 acres.

The area under the two most important "rabi" crops, wheat and barley, amounted to 1,111,055 acres—an increase compared with the previous year of 116,079 acres. The increase under other cereals and under pulses is also most marked. This is due to there being no cold-weather rain, in consequence of which the demand for canal water was heavy and continuous.

During the year 9,054 villages were irrigated from 36,838 outlets in the distributaries of the Upper and Lower Ganges, the Agra, and Eastern Jumna Canals; showing an increase over 1882-83 of 478 villages and 1,913 outlets. The returns for the minor irrigation works are not given.

10. The total value of the crops raised with canal water was Rs. 6,41,44,211. The crop values as derived from data supplied by the Agricultural Department, and the average, incidence of the occupier's rate for the last three years, is compared below:—

Year.	Acres irrigated.	Value of crop.	Occupier's rate.	Value of crop per acre.	Occupier's rate per acre.	Percentage on value of crop.
		Rs.	Rs.	Rs.	Rs.	
1881-82	1,915,949	6,06,25,647	46,55,775	31-64	2-43	7-68
1882-83	1,974,175	6,42,61,520	48,98,113	32-55	2-48	7-62
1883-84	2,297,674	6,41,44,211	54,05,911	27-91	2-35	8-42

The decrease under value of crops and occupier's rate per acre and the increase under percentage on value of crops is due to the unusually large area of inferior crops watered by the canals.

11. In July and August there was a great demand for irrigation, which was fully met. The failure of the cold-weather rain caused a great strain on all canals.

Early in December the supplies in all the rivers fell much below requirements, and it was only by the most strenuous exertions of the members of the Irrigation Department that it was possible to satisfy demands. On the Agra Canal only have any serious remissions and refunds had to be made; but the results shown prove that in a year of abnormally low supply in the Jumna this canal is capable of irrigating nearly 172,000 acres in the "rabi" season alone, and as the distributary system is more fully extended, even better results may be obtained.

The supply passed down from the river Ganges to the river Jumna for the use of the Agra Canal in February and March was 193 cubic feet per second daily. In ordinary years this supply can be raised to 300 cubic feet per second.

12. The areas irrigated by, and the value of each cubic foot of water entering, the canal heads are detailed in the accompanying table:—

Canal.	Area irrigated per cubic foot of water.					Value of each cubic foot of water at occupier's rate.				
	1879-80.	1880-81.	1881-82.	1882-83.	1883-84.	1879-80.	1880-81.	1881-82.	1882-83.	1883-84.
	Acres.	Acres.	Acres.	Acres.	Acres.	Rs.	Rs.	Rs.	Rs.	Rs.
Upper Ganges	189	173	213	232	264	460	436	550	602	614
Lower Ganges ... ..	...	203	168	180	187	...	424	371	407	415
Agra	64	135	148	155	262	186	367	415	451	674
Eastern Jumna	231	233	228	243	290	671	664	668	717	786

The standard for comparison hitherto accepted as regards the area irrigated per cubic foot of water is the Eastern Jumna Canal for the year of drought, 1878-79, when 243 acres were watered.

It will be observed that during 1883-84 the Eastern Jumna, Upper Ganges, and Agra. Canals respectively irrigated 290, 264, and 262 acres.

The Lower Ganges Canal was practically opened for irrigation in 1880-81, and the returns for that year are mainly based on the results obtained on the Cawnpore and Etawah branches, which were then transferred to the Lower Ganges Canal. Since then new branches have been opened, and the distributary system of the Cawnpore and Etawah branches has been entirely remodelled. The results obtained in 1883-84 are satisfactory, and will certainly improve as distributaries are completed and irrigation developed.

In 1878-79 the value per cubic foot of water entering the Eastern Jumna Canal was Rs. 741; in 1883-84 it is Rs. 786; on the Agra Canal Rs. 674, the Upper Ganges Rs. 644, and the Lower Ganges Canal Rs. 415.

13. The maintenance charges per acre irrigated are given below :—

CANAL.	RUPEES.				
	1879-80.	1880-81.	1881-82.	1882-83.	1883-84.
Upper Ganges	1.24	1.33	1.74	1.03	.91
Lower Ganges ... ..	...	.75	.86	1.11	1.06
Agra	4.18	1.56	1.60	1.47	1.02
Eastern Jumna ... ..	.90	.92	.74	.83	.76

The reduction in each case is very satisfactory, and especially so on the Agra Canal.

14. The following return shows that the annual deficit on navigation operations is rapidly being reduced :—

CANAL.	1883-84.			1882-83.			1881-82.		
	Gross revenue.	Working ex-penses.	Deficit.	Gross revenue.	Working ex-penses.	Deficit.	Gross revenue.	Working ex-penses.	Deficit.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Upper and Lower Ganges Canal	27,068	29,714	2,646	23,835	30,192	6,357	23,931	36,430	12,499
Agra Canal	6,593	6,770	277	4,186	7,486	3,300	5,580	8,160	2,581
Total	33,661	36,584	2,923	28,021	37,678	9,657	29,511	44,591	15,080

Radical changes were made in the working of the Navigation Branch and in the system of accounts in 1881-82, and the result shows that a great improvement has taken place.

Comparisons with previous years are vitiated, as formerly the profits on contracts for the procural of materials by the Traffic Department were entered in the Navigation returns.

14. The receipts for plantations are Rs. 8,052 less than in 1882-83, when the income was abnormally increased by upwards of Rs. 30,000 on account of extensive fellings on the Eastern Jumna Canal.

In 1881-82 the receipts were Rs. 1,10,597; in 1882-83, Rs. 1,55,092; and in 1883-84, Rs. 1,47,040.

In 1881-82 water power realised Rs. 57,860; in 1882-83, Rs. 68,391; and in 1883-84, Rs. 72,765.

Under miscellaneous items, the receipts in 1881-82 were Rs. 37,815; in 1882-83, Rs. 44,314; and in 1883-84, Rs. 54,263.

15. The observations of spring level are proceeding steadily and are being carefully recorded; but it will be some years before sufficient data are collected on which to base reliable conclusions as to the effect of the canal and drainage works on the spring level.

All the drainage cuts acted efficiently, but there were again many complaints regarding the country being overdrained, and the pasture lands suffering in consequence.

16. The following statement summarises and compares the net profits and the percentage on capital on the four productive works :—

YEAR.	UPPER GANGES.		LOWER GANGES.		AGRA.		EASTERN JUMNA CANAL.	
	Net profit.	Per cent. on capital.	Net profit.	Per cent. on capital.	Net profit.	Per cent. on capital.	Net profit.	Per cent. on capital.
	Rs.		Rs.		Rs.		Rs.	
1879-80	20,12,627	6.18	46,623	.28	—23,994	—28	7,35,863	27.01
1880-81	14,00,777	5.14	10,87,124	4.58	2,65,001	3.15	7,13,640	25.56
1881-82	17,53,670	6.40	11,83,905	4.75	2,94,740	3.48	8,09,213	28.46
1882-83	20,05,684	7.24	10,72,107	4.14	3,53,028	4.15	8,26,665	28.42
1883-84	23,60,383	8.45	11,92,654	4.45	5,61,425	6.47	8,32,307	27.96

The increase on the Agra Canal is most marked. Without the extension of the distributing channels within the last two years it would have been impossible to obtain the results shown above.

The steady progressive increase on the Upper Ganges Canal since 1880-81, when the Cawnpore and Etawah branches were transferred to the Lower Ganges Canal, is also very satisfactory.

17. Of the minor irrigation works, the Rohilkhand Canals show a profit of Rs. 27,444. In 1882-83 the profit was Rs. 11,165, and in 1881-82 there was a loss of Rs. 29. On the Bijnor Canals the net profit was Rs. 10,418; in 1882-83, Rs. 4,031; and in 1881-82, Rs. 9,978.

On the Dún Canals the net income was Rs. 35,809; in 1882-83, Rs. 25,662; and in 1881-82, Rs. 28,815.

On the Bundelkhand lakes the net revenue was Rs. 2,710; in 1882-83, Rs. 2,440; and in 1881-82, Rs. 2,446.

18. The final percentage derived in 1883-84 from all the canals in the province, excluding the Betwa Canal, which is expected to be opened in March next, is exhibited and compared with the results of the previous ten years in the following statement:—

YEAR.						Capital at end of each year.	Net profits.	Percentage on capital
						Rs.	Rs.	
1873-74	...	...	...	...	...	3,08,68,119	20,02,479	6.57
1874-75	...	...	...	...	...	3,83,63,164	24,89,547	6.49
1875-76	...	...	...	...	...	3,98,56,800	24,26,186	6.08
1876-77	...	...	...	...	...	4,20,12,822	25,76,406	6.13
1877-78	...	...	...	...	...	4,34,66,488	31,55,858	7.26
1878-79	...	...	...	...	...	4,46,21,616	38,28,437	8.57
1879-80	...	...	...	...	...	4,60,35,380	28,06,249	6.09
1880-81	...	...	...	...	...	6,45,61,716	35,38,941	5.48
1881-82	...	...	...	...	...	6,62,06,214	40,82,750	6.17
1882-83	...	...	...	...	...	6,76,33,960	43,01,052	6.36
1883-84	...	...	...	...	...	6,90,92,987	50,69,145	7.38

In 1874-75 an addition of about 70 lakhs of rupees was made to the capital on account of the opening of the Agra Canal, and in 1880-81 a further sum of about 170 lakhs was added when the Lower Ganges Canal was opened. The percentages in the following years naturally fell, but only to progressively rise again. 1878-79 was a year of drought, when the returns were abnormally high, and the scanty rainfall accounts chiefly for the high percentage in 1883-84.

19. The report summarises the results of much excellent work done by the officers of the Department, and of careful and able supervision by the Chief Engineer.

ORDER.—Ordered, that the above Resolution be submitted to the Government of India, and that it be published in the *North-Western Provinces and Oudh Gazette*.

Ordered also that it be circulated to other Governments and Departments as usual.

J. G. FORBES, LIEUT.-COL., R.E.,

Joint Secretary.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

ABSTRACT OF THE PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR
GENERAL OF INDIA, ASSEMBLED FOR THE PURPOSE OF MAKING
LAWS AND REGULATIONS UNDER THE PROVISIONS OF
THE ACT OF PARLIAMENT 24 & 25 VIC., CAP. 67.

The Council met at Government House on Friday, the 20th February, 1885.

P R E S E N T :

His Excellency the Viceroy and Governor General of India, K.P., G.C.B.,
G.C.M.G., P.C., G.M.S.I., G.M.I.E., *presiding*.
His Honour the Lieutenant-Governor of Bengal, K.C.S.I., C.I.E.
His Excellency the Commander-in-Chief, G.C.B., C.I.E.
The Hon'ble J. Gibbs, C.S.I., C.I.E.
Lieutenant-General the Hon'ble T. F. Wilson, C.B., C.I.E.
The Hon'ble C. P. Ilbert, C.I.E.
The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.
The Hon'ble T. C. Hope, C.S.I., C.I.E.
The Hon'ble Sir A. Colvin, K.C.M.G., C.I.E.
The Hon'ble J. W. Quinton.
The Hon'ble R. Miller.
The Hon'ble Amír Ali.
The Hon'ble H. J. Reynolds.
The Hon'ble Rao Saheb Vishvanath Narayan Mandlik, C.S.I.
The Hon'ble Páiri Mohan Mukerji.
The Hon'ble H. St.A. Goodrich.

INDIAN CONTRACT ACT, 1872, AMENDMENT BILL.

The Hon'ble MR. ILBERT introduced the Bill to amend section 265 of the Indian Contract Act, 1872, and moved that it be referred to a Select Committee consisting of the Hon'ble Mr. Quinton, the Hon'ble Rao Saheb Vishvanath Narayan Mandlik, the Hon'ble Mr. Goodrich and the Mover. He said :—

“I have already explained the object for which it is proposed to amend this section of the Contract Act, and, after looking at the cases decided on the section, I am disposed to think that the best way of effecting that object will be to omit the *explanation*, and simply to declare that applications under the section must be made by suit. The effect of thus amending the Act will be to bring applications under the section within the operation of the general rules which regulate the jurisdiction of the Courts with respect to the value of the subject-matter of suits.”

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill and Statement of Objects and Reasons be published in the local official Gazettes in English and in such other languages as the Local Governments think fit.

The Motion was put and agreed to.

PÁNCH MAHÁLS LAWS BILL.

The Hon'ble MR. ILBERT also moved that the Bill to amend the law in force in the Páñch Maháls be taken into consideration. He said :—

“This Bill has been considered by the Bombay Government, and the only amendment which they suggest is the addition of one Act to the schedule of

enactments which are not to apply to the Páñch Maháls. I propose to adopt that amendment, and also to make another amendment which will postpone for two months the date on which the Act is to be brought into operation."

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that in the preamble and in sections 2, 3 and 4, for the words "the first day of March, 1885" the words "the first day of May, 1885" be substituted.

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that in section 1, "1885" be substituted for "1884".

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the second part of the schedule appended to the Bill be amended by the addition thereto of Bombay Act V of 1862 (*An Act for the preservation of the Bhágdári and Narwádári Tenures*).

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

LAND ACQUISITION (MINES) BILL, 1885.

The Hon'ble MR. HOPE moved for leave to introduce a Bill to provide for cases in which Mines or Minerals are situate under lands which it is desired to acquire under the Land Acquisition Act, 1870. He said:—

"Our old legislation with regard to the acquisition of land for public purposes in India contained certain provisions which to a limited extent provided for the object which the Bill I have the honour to ask leave to introduce is intended to effect. When, however, the Land Acquisition Act was revised in 1870 the provisions to which I refer, which were contained in the Act of 1863, were omitted altogether. I have not been able to find as yet in the records any definite reasons assigned for such omission. At the same time I am inclined to infer that the omission probably arose from two causes, firstly, that at that time all minerals in India were supposed to be the property of the State, and secondly, that probably there were no minerals then thought of any special value except coal and salt, and the State had at that time got practically whatever powers were then necessary for it in respect to one or the other. On these grounds it seems probable that the matter was not considered to require any special provision of law at all. However that may be, both those reasons, if they were indeed the reasons which led to the omission I have referred to, have now to a great extent disappeared. As to the second reason, we find, fortunately I think I may say, that there is now some call for legislation in the matter; for the scheme of railways which we have adopted is gradually extending across territories where there is a certain amount of coal to be found; our lines are traversing coal-fields not only in Raneegunge, but in the hitherto unopened tracts of Chota Nagpore, the Central Provinces and Orissa. On the other hand, we find with regard to the first reason that it has been held since 1863 or 1870 that the State is not ordinarily the owner of minerals in permanently settled estates, and consequently that, if we require lands for railways in estates which are permanently settled, we have to acquire and deal with rights to minerals as well as rights to the surface of the soil. I am not coming to the Council, as may be supposed from this preamble, in order to ask for leave to take away all these private rights from the owners of permanently settled estates; on the contrary, I am coming for power to leave them alone. The defect in the present law which I desire to remedy is that we are practically obliged to acquire the whole rights, or to leave alone all rights, in any land we have to acquire. This is exactly what we do not want to do. We do not wish to deprive the owners of permanently settled estates of lucrative property which

they may possess and which would be of no use to us. On the other hand, we do not desire to incur the loss to our finances which we should undoubtedly suffer by the heavy price which we should have to pay for such proprietary rights. We therefore propose to bring in a new measure to remedy these defects.

“ This measure will not be exactly on the lines of the old legislation which existed previously to 1870, because that old law, Act XXII of 1863, was imperfect in one respect ; that is to say, it left it entirely doubtful whether, in the event of taking land which was underlaid with minerals, it was necessary to compensate the owner for the full value of the minerals there, or only for any amount of loss which might be incurred by him in the case of a railway passing over his land. In the new law we propose to follow the English law in the main, and to reserve to the State the option either to take the whole of the property, including the minerals underground, or to leave the owner to work the minerals below as he pleases, or to impose suitable restrictions upon his working with a view to prevent the surface from falling in, and to compensate him for any loss which such restrictions may entail on him.

“ I trust these explanations will be sufficient to justify the application which I have made to the Council to-day. If I am permitted to introduce the Bill, I shall then be able to explain the details rather more fully.”

The Motion was put and agreed to.

The Council adjourned to Friday, the 27th February, 1885.

R. J. CROSTHWAITE,

FORT WILLIAM ;
The 25th February, 1885. }

*Offg. Secretary to the Government of India,
Legislative Department.*

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.

IRRIGATION OPERATION OF FASL RABI IN THE PUNJAB FOR 1884-85 UP TO 31st DECEMBER 1884.

CANAL DIVISION.	WATER DISTRIBUTED DURING DECEMBER 1884.				NAVIGATION RETURNS, CANAL.		LAND IRRIGATED (APPROXIMATE).		RAINFALL.		CHIEF CROPS (APPROXIMATE).		REMARKS.	
	WATER IN CANAL AT REGULATING GAGES.		GROSS CONSUMPTION, CUBIC FEET PER SECOND.		PRINCIPAL ITEMS OF TRAFFIC.		ZILA.	ACRES.	Average.	During month.	NAME.	Area in acres.		
	Full supply.	Actual through out.	Estimated full supply.	Actual average throughout.	Up.	Down.								
CANAL DIVISION.	1st Division	4.9	3.8	3,073.6	890	121,668 cubic feet 1st and 2nd class timber, and 3,159 cubic feet fuel.	Gurdaspur	7,922	0.1	0.2	Wheat	139,587	On the Bari Doab Canal there is an increase of 18,073 acres as compared with the corresponding period of the previous year. The prospects of the crop are very favorable.	
	2nd do., Main Branch, Lower	4.6	2.6				Amritsar	77,201	1.1		Barley	880		
	2nd do., Lahore Branch	3.0	2.2				Lahore	127,856	0.7		Mixed grains.	7,006		
	Passed through Escapes				4		Miscellaneous.	65,506						
	TOTAL BARI DOAB CANAL			3,073.6	1,578				212,979					212,979
Corresponding period of last year			3,073.6	1,791				194,906				194,906		
CANAL DIVISION.	Karnal Division	4.33	3.05	2,546	340	121,568 cubic feet 1st and 2nd class timber, and 3,159 cubic feet fuel.	Umballa	25	0.61	0.04	Wheat	36,935	On the Western Jumna Canal there is a considerable decrease as compared with the corresponding period of the preceding year, which is due to late and seasonable rainfall.	
	Delhi do.	5.70	3.75				Karnal	9,519	0.42		Barley	215		
	Hansi do.	9.00	7.20				Delhi	571	1.10		Mixed grains	3,483		
	Do. Balla Head.	8.80	3.75	Rohtak	2,970	0.90	Miscellaneous.	5,449						
	Passed through Escapes				158		Hissar	22,406	0.40					
				171		Jind	10,357	0.40						
						Bikaner.	187							
						Kalsia State.	47							
TOTAL WESTERN JUMNA CANAL			2,546	1,615		121,568		48,082				46,082		
Corresponding period of last year			2,546	2,086		349,361		196,606				196,606		
CANAL DIVISION.	Main Line	6.3	4.7	3,000	1,799		Ludhiana	1,249	0.92		Wheat	18,247	The increase on the Inundation Canals is due to there being a better supply in the rivers and canals during the last month of the flood season. The new Lower Sohiag Canal was opened during October, and 439 acres of rabi irrigation have been recorded thereon.	
	Abohar Branch	5.2	3.4				Ferozepore	16,257	0.16		Barley	539		
	Bhatinda do.	4.9	1.9				Faridkot State	5,632			Mixed grains	1,051		
	Feeders	6.5	1.0	Nabha State.	148		Miscellaneous.	3,449						
	TOTAL SUBHIND CANAL			3,000					23,286					23,286
Corresponding period of last year														
CANAL DIVISION.	Upper Sutlej Division						Lahore	16,220			Details not obtainable for want of establishment.			
	Lower Sutlej and Chenab Division						Montgomery	34,140				0.44		
	Indus Canals Division						Mooltan	156,330				0.24		
	Muzaffargarh Canals Division			Dera Ghazi Khan	46,550	0.37								
							Muzaffargarh	185,940						
TOTAL INUNDATION CANALS								439,180				439,180		
Corresponding period of last year								372,449				372,449		
PERMANENT CANALS, GRAND TOTAL								282,347				282,347		
Do. corresponding period of last year								391,512				391,512		

J. E. CAITON,

PUBLIC WORKS DEPARTMENT.
IRRIGATION BRANCH.

IRRIGATION OPERATIONS OF FASL RABI, NORTH-WESTERN PROVINCES, 1884, UP TO 31st DECEMBER 1884.

CANAL DIVISION.	WATER DISTRIBUTED DURING DECEMBER 1884.				Total area of irrigation during current year.	Total area for the corresponding time period for last year.	Zila.	LAND IRRIGATED (APPROXIMATE).						RAIN-FALL.		REMARKS.			
	Full supply.	Actual average throughout.	GROSS CONSUMPTION, CUBIC FEET PER SECOND.	Actual average throughout.				Wheat.	Barley.	Gram.	Other food-grains.	Miscellaneous.	Total.	In.	In.		Average for ten previous years for the same period.		
Ganges Division.	10-00	7-35	850	502	15,726	40,679	Shahrampur	7,711	90	44	131	1,141	9,117	2-7	1-5	2-7	1-5	Supply—	
	7-00	5-10	1,100	657	17,753	87,407	Muzaffarnagar	21,117	404	199	1,108	781	23,609	1-4	1-2	1-4	1-2	Inter-Head of Ganges Canal	
	8-10	5-84	850	503	13,310	97,613	Meerut	26,657	1,473	534	2,634	611	31,900	1-1	1-3	1-1	1-3	" " of Lower Ganges Canal	
	7-20	5-63	900	217	15,780	101,426	Bulandshahr	13,094	3,940	321	3,182	648	21,145	1-4	1-4	1-4	1-4	Expended—	
	5-50	4-79	1,200	514	24,746	138,650	Aligarh	10,334	2,438	.	424	198	13,394	3-9	6	3-9	6	Ganges Canal	
TOTAL UPPER GANGES CANAL.	.	.	4,900	2,423	87,315	465,775	Muttra	3,510	657	2,319	604	367	7,487	7	1-2	7	1-2	Lower Ganges Canal	
	.	.	.	.	.	.	Agra	6,144	746	50	1,764	264	8,968	3-8	8	3-8	8	Aunpshahr Division, G. C., Seyana escape
	.	.	.	.	.	.	Etah	11,118	1,895	12	1,115	211	14,441	6-4	1-2	6-4	1-2	Ditto
	.	.	.	.	.	.	Mainpuri	7,549	3,017	1	163	586	11,316	4-8	1-2	4-8	1-2	Meerut
	.	.	.	.	.	.	Fatehgarh	2,284	815	21	183	142	3,424	2-2	1-4	2-2	1-4	Bulandshahr ditto
Narora Division.	9-00	5-68	1,100	289	6,921	32,298	Etawah	12,558	3,457	21	12	142	3,424	2-2	1-4	2-2	1-4	Ditto	
	7-40	1-2	700	102	1,775	41,617	Cawnpore	20,815	24,744	152	1,307	1,264	48,282	6-6	3	6-6	3	Ditto	
	.	3-4	1,300	402	41,901	88,594	Delhi	3,315	929	2,307	969	1,827	9,347	1-1	1-1	1-1	1-1	Executive Engineer, Northern Division, Ganges Canal, reports—The rabi in this division is late due to late heavy rains, necessitating reparation of land, and also due to sickness. The ground contains much moisture, and demand for canal water was not heavy throughout December 1884. Weather cloudy in latter part of the month.	
	.	2-4	1,050	636	20,694	87,535	Gurgaon	2,694	174	11	410	245	3,534	1-2	1-6	1-2	1-6	Executive Engineer, Meerut Division, Ganges Canal, reports—Light and scattered demand. Cultivators looking out for rain, and hoping to save their crops without the aid of canal water.	
	6-70	4-1	1,050	430	13,191	51,743	Bijnor	678	.	.	27	.	705	3-0	1-0	3-0	1-0	Executive Engineer, Narora Division, Lower Ganges Canal, reports—The urgency of keeping navigation going in main canal prevented water being held up at Jharu dam, and so the Fatehgarh branch did not get a sufficient supply until after water was passed over aqueduct at Nadra, i.e., on the 21st December 1884.	
TOTAL LOWER GANGES CANAL.	.	.	5,200	1,869	84,482	301,787	Tarai	691	.	.	.	.	691	2-5	1-3	2-5	1-3	Executive Engineer, Mainpuri Division, Lower Ganges Canal, reports—Irrigation on the very end of the month that water reached the middle of the month, but it was not until the very end of the month that water reached the Bewar branch rajahs; the demand for water is increasing, but it is anticipated that only a comparatively small area will be irrigated this year.
	.	.	.	.	.	.	Pilibhit	625	500	150	.	.	1,275	6-4	1-3	6-4	1-3	Executive Engineer, Cawnpore Division, Ganges Canal, reports—Demand for water began on the 13th November, but no water reached this Division till the 12th December; this accounts for some portion of the deficiency in irrigated area as compared with last year, and the lateness of the rains in the other portions, which kept back demand. If a good supply of water is now given it is expected that the rabi area will be equal to last year.
	.	.	.	.	.	.	Bareilly	10,879	1,562	350	22	27	12,791	8-3	1-4	8-3	1-4	Executive Engineer, Etawah Division, Lower Ganges Canal, reports—The general and large falling off in area is due to the late and heavy rains. Canal irrigation having only begun in the latter end of the month.
	.	.	.	.	.	.	Jhansi	126	303	10	297	7	712	3-3	8	3-3	8	Executive Engineer, Bhagnipur Division, Lower Ganges Canal, reports—Water entering branch from 6th December 1884.
	Hamirpur	105	Executive Engineer, Eastern Jumna Canal, reports—The demand never rose to more than low medium. In wheat alone there is a decrease of over 81,000 acres as compared with last year. The remainder of the decrease is mainly in miscellaneous crops. The demand during the month was very slack and confined to the small area sown to wheat; the abnormally large area of the previous year was due to the dry character of the season.
Eastern Jumna Canal.	4-74	3-87	1,300	822	22,199	95,012	TOTAL	161,994	47,231	6,481	14,312	9,328	239,379	.	.	.	.	Executive Engineer, Eastern Jumna Canal, reports—The demand never rose to more than low medium. In wheat alone there is a decrease of over 81,000 acres as compared with last year. The remainder of the decrease is mainly in miscellaneous crops. The demand during the month was very slack and confined to the small area sown to wheat; the abnormally large area of the previous year was due to the dry character of the season.
	8-50	6-23	1,300	426	25,500	136,711	AGRA	445,282	150,162	23,884	66,192	94,134	780,454	.	.	.	.	Executive Engineer, Eastern Jumna Canal, reports—The demand never rose to more than low medium. In wheat alone there is a decrease of over 81,000 acres as compared with last year. The remainder of the decrease is mainly in miscellaneous crops. The demand during the month was very slack and confined to the small area sown to wheat; the abnormally large area of the previous year was due to the dry character of the season.
	.	.	.	.	.	.	ROHILKHAND	607,276	198,196	30,365	80,554	103,462	1,019,833	.	.	.	.	Executive Engineer, Eastern Jumna Canal, reports—The demand never rose to more than low medium. In wheat alone there is a decrease of over 81,000 acres as compared with last year. The remainder of the decrease is mainly in miscellaneous crops. The demand during the month was very slack and confined to the small area sown to wheat; the abnormally large area of the previous year was due to the dry character of the season.
	Bijnor	Executive Engineer, Eastern Jumna Canal, reports—The demand never rose to more than low medium. In wheat alone there is a decrease of over 81,000 acres as compared with last year. The remainder of the decrease is mainly in miscellaneous crops. The demand during the month was very slack and confined to the small area sown to wheat; the abnormally large area of the previous year was due to the dry character of the season.
	Dun	Executive Engineer, Eastern Jumna Canal, reports—The demand never rose to more than low medium. In wheat alone there is a decrease of over 81,000 acres as compared with last year. The remainder of the decrease is mainly in miscellaneous crops. The demand during the month was very slack and confined to the small area sown to wheat; the abnormally large area of the previous year was due to the dry character of the season.
TOTAL	239,379	1,019,833	Jhansi	Executive Engineer, Eastern Jumna Canal, reports—The demand never rose to more than low medium. In wheat alone there is a decrease of over 81,000 acres as compared with last year. The remainder of the decrease is mainly in miscellaneous crops. The demand during the month was very slack and confined to the small area sown to wheat; the abnormally large area of the previous year was due to the dry character of the season.
	Hamirpur	Executive Engineer, Eastern Jumna Canal, reports—The demand never rose to more than low medium. In wheat alone there is a decrease of over 81,000 acres as compared with last year. The remainder of the decrease is mainly in miscellaneous crops. The demand during the month was very slack and confined to the small area sown to wheat; the abnormally large area of the previous year was due to the dry character of the season.
	.	.	.	.	.	.	TOTAL	445,282	150,162	23,884	66,192	94,134	780,454	.	.	.	.	Executive Engineer, Eastern Jumna Canal, reports—The demand never rose to more than low medium. In wheat alone there is a decrease of over 81,000 acres as compared with last year. The remainder of the decrease is mainly in miscellaneous crops. The demand during the month was very slack and confined to the small area sown to wheat; the abnormally large area of the previous year was due to the dry character of the season.

H. W. CONDUITT,

Offg. Asst. Secy. to Govt. N.-W. P. and Oudh,
P. W. D., Irrigation Branch.

AGRAHABAD.
The 2nd February 1885.

REMARKS.	UPPER GANGES CANAL.										LOWER GANGES CANAL.										UPPER AND LOWER GANGES CANALS.																								
	PRINCIPAL ITEMS OF LOCAL TRAFFIC.										PRINCIPAL ITEMS OF LOCAL TRAFFIC.										PRINCIPAL ITEMS OF THROUGH TRAFFIC.										PRINCIPAL ITEMS OF LOCAL AND THROUGH TRAFFIC.														
	Up.					Down.					Total up and down.					Up.					Down.					Total up and down.					Up.					Down.					Total up and down.				
	Mds.	Nos.	Mds.	Nos.	Total up and down.	Mds.	Nos.	Mds.	Nos.	Total up and down.	Mds.	Nos.	Mds.	Nos.	Total up and down.	Mds.	Nos.	Mds.	Nos.	Total up and down.	Mds.	Nos.	Mds.	Nos.	Total up and down.	Mds.	Nos.	Mds.	Nos.	Total up and down.															
	3,931		4,981	8,912			850						700	184	884									4,631	6,015			10,646																	
	2,653		271	2,924									282		282									2,835	271			3,106																	
							100						48		48									48				48																	
																																</													

Particulars.	Upper and Lower Ganges Canals (through).				Total, Upper and Lower Ganges Canals.			
	1883.		1884.		1883.		1884.	
	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.	Mds.	Nos.
Tonnage, including weight of timber and bamboos	4,682	2,711	3,793	1,670	10,002	8,190	1,121,234	743,366
Ton mileage	27,490	245,142	36,476	760,000	5,90,233	4,66,421	291	291
Value of goods	59,648	2,51,073	33,333	1,81,617	92,981	4,66,421	291	291
Number of passengers	62	292	46	174	108	466	291	291

NOTE.—Under Ton-mileage, Upper and Lower Ganges Canal, (through) 1884, in statement for April 1884, for "3,464,492" read "3,464,492" and under Total, Upper and Lower Ganges Canals, for "3,024,163" read "922,153".

H. W. CONDUITT,
Offg. Asst. Secy. to Govt., N.-W. P.
3rd Divn., P. W. D., Irrigation Branch.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
RAILWAY TRAFFIC.

No. XXXIX of 1884-85.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest return received	Railways.	Total mean length open.	RECEIPTS FOR FIRST 10 DAYS OF JANUARY 1884.		Total mean length open.	RECEIPTS FOR FIRST 10 DAYS OF JANUARY 1885.		TOTAL RECEIPTS FROM 1ST APRIL 1883 TO 12TH JANUARY 1884.		TOTAL RECEIPTS FROM 1ST APRIL 1884 TO 10TH JANUARY 1885.		Total increase in 1884-85.	Total decrease in 1884-85.
			Total.	Per mile open.		Total.	Per mile open.	Total.	Per mile open per week.	Total.	Per mile open per week.		
31st Jan. 1885	<i>Guaranteed.</i> Oudh and Rohilkhand.	547	1,79,280	328	594	1,86,608	228	44,45,638	198	38,84,188	168	...	5,61,470
31st ditto	Sindh, Punjab, and Delhi	754	3,31,252	439	706	2,78,279	394	86,70,727	280	83,75,825	239	...	2,94,901
31st ditto	Madras	861	2,37,589	276	861	2,06,092	239	52,54,078	149	54,85,152	155	2,31,074	...
31st ditto	South Indian	655	1,35,460	207	654	93,941	144	31,46,204	117	32,74,616	122	1,38,412	...
31st ditto	Great Indian Peninsula	1,458	9,88,059	678	1,504	10,26,290	682	2,55,88,612	428	2,53,55,759	411	...	2,32,851
31st ditto	Bombay, Baroda, and Central India	461	4,40,037	955	461	3,45,292	749	88,94,100	470	88,96,524	471	2,424	...
	TOTAL	4,736	23,11,677	489	4,780	20,86,562	437	5,59,90,359	288	5,52,72,044	284	...	7,27,315
7th Feb. 1885	<i>State.</i> East Indian	1,509	17,76,207	1,177	1,509	11,74,658	778	3,91,93,362	683	3,21,76,700	520	...	70,16,662
31st Jan. 1885	Eastern Bengal	233	1,27,054	545	233	1,18,441	508	40,68,738	426	43,02,088	450	2,33,350	...
7th Feb. 1885	Nalhati	27	2,262	84	27	1,578	58	61,795	56	59,518	54	...	2,277
7th ditto	Northern Bengal	239	51,964	217	249	62,480	251	17,06,268	176	17,30,209	170	23,941	...
7th ditto	Kaunia-Dharia	32	5,125	160	37	3,660	104	97,529	74	1,12,351	78	14,822	...
7th ditto	Tirhoot	193	28,112	146	226	31,936	141	7,12,743	90	9,54,954	103	2,42,211	...
7th ditto	Patna-Gya	57	14,751	258	57	13,321	233	3,55,491	152	4,09,201	175	53,710	...
24th Jan. 1885	Cawnpore-Achua	138	17,821	129	240	25,483	106	4,41,363	80	7,08,280	74	2,66,917	...
7th Feb. 1885	Dildarnagar-Ghazipur	12	1,439	120	12	1,309	108	36,234	74	37,684	77	1,450	6,08,540
7th ditto	Rajputana-Malwa	1,117	5,13,515	160	1,120	4,14,770	370	99,20,537	217	98,16,988	203	...	...
7th ditto	Kewari-Ferozepur	140	19,108	136	291	29,030	100	2,88,226	79	6,33,938	87	3,45,712	...
31st Jan. 1885	Wardha-Coul	45	27,876	619	45	28,594	635	5,56,817	302	4,82,553	262	...	74,264
31st ditto	Nagpur & Chhattisgarh	149	49,785	334	149	43,947	295	9,14,505	150	9,31,181	152	16,676	...
31st ditto	British Burma	161	41,242	256	254	42,321	167	10,65,670	161	14,13,399	145	3,47,729	...
7th Feb. 1885	Sindia	75	13,721	183	75	13,758	188	2,65,819	86	2,84,833	93	19,214	...
31st Jan. 1885	Punjab Northern	447	1,04,763	234	447	74,440	167	25,02,052	137	24,99,837	136	...	2,215
31st ditto	Indus Valley	660	2,13,968	324	660	1,85,600	281	55,74,004	206	60,18,164	222	4,39,160	...
31st ditto	Amritsar-Patna Kot	51	3,089	61	66	6,763	102	(a) 3,089	61	1,71,388	67	1,68,299	...
24th ditto	Bareilly-Pilibhit	...	...	...	86	1,292	36	...	...	(b) 6,620	18	6,620	...
24th ditto	.....	...	...	...	10	1,292	129	...	...	1,292	129	1,292	...
	TOTAL	3,776	12,35,615	327	4,234	11,00,215	290	2,85,70,880	187	3,00,69,478	179	14,98,798	...
	GRAND TOTAL (GUARANTEED AND STATE)	10,021	53,23,499	531	10,523	43,61,435	414	1,23,63,401	308	11,75,18,322	277	...	62,45,179
	GROSS ESTIMATED EXPENSES	...	...	...	...	...	...	6,14,38,285	150	6,25,19,141	147	...	...
	NET RECEIPTS	...	...	...	...	...	...	6,23,25,116	158	5,49,99,081	130	...	78,26,085
31st Jan. 1885	<i>Assisted Companies.</i> Bengal Central	52	4,692	90	128	11,954	95	91,797	62	3,66,285	72	2,76,488	...
24th ditto	Rohilkhand & Kumaon	...	...	...	67	1,877	25	...	...	(c) 23,628	35	23,628	...
24th ditto	Assam	40	2,350	59	70	4,711	67	47,735	51	1,73,890	68	1,26,155	...
24th ditto	Southern Mahratta	...	...	...	214	12,195	57	...	...	2,07,921	42	2,07,921	...
24th ditto	Bengal & North-Western	...	...	...	75	2,879	38	...	...	71,448	25	71,448	...
31st ditto	Tarakessur	...	...	...	28	5,250	239	...	...	5,250	239	5,250	...
	TOTAL	92	7,032	76	574	38,866	67	1,39,532	58	3,50,422	44	7,10,890	...
31st Jan. 1885	<i>Native States.</i> Bhavnagar-Gondal	198	24,541	127	193	26,094	136	6,98,762	88	8,70,321	110	1,71,559	...
7th Feb. 1885	Jodhpore	19	1,790	94	44	2,980	68	30,790	40	51,529	33	30,799	...
31st Jan. 1885	Nizam's	121	25,507	211	121	21,858	181	6,45,335	130	7,42,452	150	97,116	...
24th ditto	Mysore	87	7,863	90	140	9,905	69	2,45,163	69	2,94,351	65	49,189	...
31st ditto	Raipura-Patiala	...	...	...	16	976	61	...	...	(d) 6,584	41	6,584	...

No. XL of 1884-85.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Date Return received.	Railways.	Total length open.	RECEIPTS FOR WEEK ENDING 10TH JANUARY 1884.		Total length open.	RECEIPTS FOR WEEK ENDING 17TH JANUARY 1885.		TOTAL RECEIPTS FROM 1ST APRIL 1883 TO 10TH JANUARY 1884.		TOTAL RECEIPTS FROM 1ST APRIL 1884 TO 17TH JANUARY 1885.		Total Increase in 1884-85.	Total Decrease in 1884-85.
			Total.	Per mile open.		Total.	Per mile open.	Total.	Per mile open per week.	Total.	Per mile open per week.		
t Jan. 1885	<i>Guaranteed.</i>		R	R		R	R	R	R	R	R	R	R
t Jan. 1885	Oudh and Rohilkhand .	547	1,34,068	245	594	1,02,730	173	45,79,706	198	39,84,457	169	5,95,249	
t ditto	Sind, Punjab, and Delhi	754	2,16,214	287	706	1,80,414	256	88,86,941	285	85,56,339	282	3,30,708	
h Feb. 1885	Madras	861	1,17,169	136	861	1,18,529	138	53,71,247	149	56,13,371	155	2,42,124	
t Jan. 1885	South Indian	655	59,048	90	654	54,668	84	32,05,252	116	33,29,279	121	1,24,027	
h Feb. 1885	Great Indian Peninsula	1,458	6,50,924	446	1,504	7,83,654	521	2,62,89,586	428	2,61,41,530	414	98,006	
t Jan. 1885	Bombay, Baroda, and Central India	461	2,44,700	531	461	2,21,840	481	91,38,800	472	91,02,967	470	35,833	
	TOTAL	4,736	14,22,123	300	4,780	14,61,830	306	5,74,21,482	289	5,67,27,843	283	6,93,639	
h Feb. 1885	<i>Stats.</i>												
h Feb. 1885	East Indian	1,509	10,28,534	678	1,509	8,27,461	548	4,02,16,896	635	3,30,04,161	521	72,12,735	
1 Jan. 1885	Eastern Bengal	233	74,246	319	233	80,443	345	41,42,984	467	43,82,531	493	2,39,547	
1 Feb. 1885	Nalhati	27	1,554	57	27	1,126	42	63,349	56	60,644	53	2,705	
h ditto	Northern Bengal	239	87,168	155	249	37,160	149	17,43,421	176	17,76,588	171	33,167	
u ditto	Kaunia-Dharia	32	4,560	143	37	2,427	66	1,02,089	76	1,15,022	78	12,933	
h ditto	Tirhoot	193	17,575	91	226	24,182	107	7,30,319	90	9,79,547	103	2,49,228	
u ditto	Patna-Gya	57	8,238	144	57	9,912	174	3,63,729	152	4,19,113	175	55,864	
1 Jan. 1885	Cawnpore-Achnera	138	11,860	86	240	18,109	75	4,53,223	80	7,26,389	74	2,73,166	
1 Feb. 1885	Dildarnagar-Ghazipur	12	1,085	90	12	1,060	88	87,319	74	38,744	77	1,425	
1 ditto	Rajputana-Malwa	1,117	3,09,985	278	1,120	3,08,460	275	1,02,30,522	218	96,52,848	205	5,77,674	
1 ditto	Rewari-Ferozepur	140	11,436	82	291	20,630	71	2,99,662	80	6,56,713	87	3,57,051	
1 ditto	Wardha Coal	45	18,447	410	45	15,303	340	5,74,983	304	5,04,391	267	70,592	
1 ditto	Nagpur and Chhattisgarh	149	28,206	189	149	37,524	252	9,42,710	161	9,65,597	164	22,887	
Jan. 1885	British Burma	161	31,973	199	254	37,852	147	10,97,648	162	14,50,751	145	3,53,108	
Feb. 1885	Sindia	75	7,838	104	75	10,835	144	2,73,457	87	2,95,663	94	22,211	
Jan. 1885	Punjab Northern	447	61,592	138	447	54,624	123	25,63,645	187	25,58,637	186	5,008	
ditto	Indus Valley	660	1,44,375	219	660	1,04,500	158	57,10,880	206	61,38,085	221	4,27,205	
ditto	Amritsar-Pathankot	51	2,377	47	66	4,864	74	(d) 5,466	54	1,76,252	68	1,70,786	
ditto	Bareilly-Pilibhit				36	807	22			(b) 7,427	19	7,427	
Feb. 1885	Dacca and Mymonsing				10	1,263	126			(c) 2,555	128	2,555	
Jan. 1885	Kokilamukh				19	221	12			(d) 1,830	28	1,830	
	TOTAL	3,776	7,72,500	205	4,263	7,70,802	181	2,93,35,401	189	3,09,09,332	180	15,78,931	
	AND TOTAL (GUARANTEED AND STAT.)	10,021	32,18,167	321	10,542	30,60,093	290	12,69,73,779	304	12,06,41,336	277	63,32,443	
	GROSS ESTIMATED EXPENSES							6,29,47,163	151	6,39,24,542	147		
	NET RECEIPTS							6,40,26,616	153	5,67,16,794	130	73,09,822	
Jan. 1885	<i>Assisted Companies.</i>												
ditto	Bengal Central	59	2,778	53	126	7,545	60	94,575	61	3,75,830	72	2,81,255	
ditto	Rohilkhand & Kumaon				67	1,395	21			(e) 25,023	34	25,023	
ditto	Assam	40	1,471	37	70	4,920	70	49,208	49	1,78,810	68	1,29,604	
Feb. 1885	Southern Mahratta				214	7,981	37			2,15,912	42	2,15,912	
Jan. 1885	Bengal and North-Western				308	5,809	19			74,779	24	74,779	
Feb. 1885	Tanikesar				22	4,232	195			(e) 9,532	216	9,532	
	TOTAL	93	4,249	46	593	31,933	40	1,43,781	56	8,79,836	44	7,36,105	
Jan. 1885	<i>Native States.</i>												
Jan. 1885	Bhavnagar-Gondal	198	16,808	87	198	17,913	93	7,15,664	88	8,88,060	109	1,72,496	
Jan. 1885	Jodhpur	19	954	50	44	1,980	45	31,744	40	53,509	33	21,763	
Jan. 1885	Nizam's	121	16,937	132	121	20,218	167	6,61,273	180	7,64,910	150	1,02,737	
ditto	Mysore	97	4,347	50	140	6,409	46	2,49,509	66	3,00,759	64	51,250	
ditto	Rajpura-Patna				16	535	33			(f) 7,119	40	7,119	
	TOTAL	439	38,040	91	514	47,064	82	16,58,090	94	20,13,457	100	3,55,347	

N.B.—As regards the figures in column "Total receipts from 1st April 1884 to date," audited figures have been availed of as far as possible.
 (a) Total receipts from 1st to 10th January 1884.
 (b) Ditto ditto 12th October 1884 to 17th January 1885.

(c) Total receipts from 1st to 17th January 1885.
 (d) Ditto ditto 14th December 1884 to 17th January 1885.
 (e) Ditto ditto 2nd November 1884 to 17th January 1885.
 (f) Ditto ditto 1st ditto 17th ditto.

FORT WILLIAM,
 26th February 1885.

FRED. FIREBRACE, Major, R.E.

No. XLI of 1884-85.

APPROXIMATE STATEMENT OF GROSS RECEIPTS AND EXPENSES OF INDIAN RAILWAYS.

Latest Return received.	Railways.	Total mean length open.	RECEIPTS FOR WEEK ENDING 30TH JANUARY 1884.		Total mean length open.	RECEIPTS FOR WEEK ENDING 24TH JANUARY 1885.		TOTAL RECEIPTS FROM 1ST APRIL 1883 TO 30TH JANUARY 1884.		TOTAL RECEIPTS FROM 1ST APRIL 1884 TO 24TH JANUARY 1885.		Total Increase in 1884-85.	Total Decrease in 1884-85.
			Total.	Per mile open.		Total.	Per mile open.	Total.	Per mile open per week.	Total.	Per mile open per week.		
1st Jan. 1885	<i>Guaranteed.</i> Oudh and Rohilkhand	547	₹ 1,15,891	212	594	₹ 1,00,691	170	₹ 46,95,597	200	₹ 40,92,822	189	...	₹ 6,02,971
1st ditto	Sind, Punjab and Delhi	754	2,00,916	266	706	2,07,088	298	90,87,857	285	87,63,325	282	...	₹ 3,24,531
7th Feb. 1885	Madras	861	1,41,947	165	861	1,30,795	152	55,13,194	140	57,58,593	156	2,45,399	...
31st Jan. 1885	South Indian	655	71,355	109	654	63,740	97	32,76,607	116	33,98,019	121	1,16,412	...
7th Feb. 1885	Great Indian Peninsula	1,458	7,24,901	497	1,504	8,35,528	556	2,69,64,437	430	2,69,77,058	417	12,621	...
31st Jan. 1885	Bombay, Baroda and Central India	461	2,44,512	530	461	2,42,216	525	93,83,812	473	93,53,336	472	...	29,976
	TOTAL	4,736	14,99,522	317	4,780	15,80,056	331	5,89,21,094	290	5,83,37,953	285	...	5,83,051
14th Feb. 1885	<i>State.</i> East Indian	1,509	10,72,442	711	1,509	8,63,280	572	4,12,89,338	636	3,88,67,441	552	...	₹ 74,21,897
31st Jan. 1885	Eastern Bengal	233	98,343	422	233	85,462	367	42,41,327	423	44,67,993	446	2,26,666	...
7th Feb. 1885	Nalhati	27	1,591	59	27	1,140	42	64,940	56	61,909	53	...	3,031
7th ditto	Northern Bengal	239	44,296	185	249	35,040	141	17,87,717	176	18,08,487	169	20,770	...
7th ditto	Kaunia-Dharia	32	3,070	96	37	2,965	80	1,05,159	76	1,18,521	78	13,362	...
7th ditto	Tirhoot	193	20,112	104	226	25,856	114	7,50,430	90	10,04,531	103	2,54,101	...
14th ditto	Patna-Gya	57	8,150	143	57	9,517	172	3,71,879	152	4,28,030	175	57,051	...
31st Jan. 1885	Cawnpore-Achnera	138	11,804	85	249	28,791	96	4,65,027	78	7,50,180	70	2,85,153	...
14th Feb. 1885	Didarnagar-Ghazipur	12	1,054	88	12	723	60	38,373	74	39,467	76	1,094	...
7th ditto	Rajputana-Malwa	1,117	3,30,075	296	1,120	3,16,430	283	1,05,60,597	220	99,80,062	207	...	5,80,535
7th ditto	Rewari-Ferozepur	140	12,886	92	291	18,580	64	3,12,548	52	6,76,581	86	3,64,033	...
7th ditto	Wardha-Coal	45	27,216	605	45	18,774	417	6,02,195	311	5,23,547	271	...	78,648
7th ditto	Nagpur and Chhattisgarh	149	32,327	217	149	46,927	311	9,74,797	152	10,10,789	158	35,992	...
31st Jan. 1885	British Burma	161	40,654	253	254	44,682	176	11,38,297	164	14,95,433	146	3,57,136	...
14th Feb. 1885	Sindia	75	7,708	103	75	9,696	129	2,81,165	87	3,05,364	95	24,199	...
31st Jan. 1885	Punjab Northern	447	62,554	140	447	60,983	136	26,26,199	187	26,20,785	136	...	5,414
31st ditto	Indus Valley	660	1,18,271	179	660	1,57,600	239	58,36,809	206	62,76,267	221	4,39,658	...
31st ditto	Amritsar-Pathankot	51	2,436	48	66	4,888	74	(a) 7,902	52	1,81,140	68	1,73,238	...
24th ditto	Bareilly-Pilibhit	...	...	...	36	845	23	...	...	(b) 3,272	15	3,272	...
7th Feb. 1885	Dacca and Mymensing	...	...	...	10	1,228	123	...	...	(c) 3,783	126	3,783	...
24th Jan. 1885	Kokilamukh	...	...	...	19	212	11	...	...	(d) 3,042	26	3,042	...
	TOTAL	3,776	8,22,547	218	4,262	8,65,039	303	3,01,65,161	190	3,17,64,083	179	15,98,922	...
	GRAND TOTAL (GUARANTEED AND STATE)	10,021	33,94,511	339	10,551	33,08,375	314	13,03,75,503	305	12,89,69,477	277	...	64,06,026
	GROSS ESTIMATED EXPENSES	...	...	...	...	...	...	6,45,45,973	151	6,54,22,205	146	...	...
	NET RECEIPTS	...	...	...	...	...	...	6,58,29,530	154	5,85,47,372	131	...	73,33,258
31st Jan. 1885	<i>Assisted Companies.</i> Bengal Central	52	3,329	62	126	9,106	72	97,804	60	3,84,936	72	2,87,132	...
24th ditto	Rohilkhand & Kumaon	...	...	...	67	1,254	19	...	...	(e) 26,277	33	26,277	...
31st ditto	Assam	40	1,147	29	70	5,148	74	50,353	49	1,83,958	63	1,33,605	...
7th Feb. 1885	Southern Mahratta	...	...	...	214	9,693	45	...	...	2,25,605	48	2,25,605	...
31st Jan. 1885	Bengal and North-Western	...	...	...	303	12,940	42	...	...	81,355	24	81,355	...
14th Feb. 1885	Tarakesaur	...	...	...	22	5,741	261	...	...	(e) 15,278	231	15,278	...
	TOTAL	92	4,376	48	802	43,782	55	1,48,157	56	9,17,304	44	7,69,147	...
31st Jan. 1885	<i>Native States.</i> Bhavnagar-Goudal	193	18,463	96	193	30,687	107	7,34,027	88	9,06,831	109	1,74,804	...
7th Feb. 1885	Jodhpur	19	957	50	44	2,050	47	32,701	40	55,559	33	22,858	...
31st Jan. 1885	Nizam's	121	17,399	144	121	21,008	174	6,78,672	130	7,84,096	151	1,05,424	...
24th ditto	Mysore	87	6,557	75	140	6,993	50	2,56,066	68	3,07,752	64	51,686	...
31st ditto	Rajpura-Patiala	...	...	...	16	717	45	...	...	(f) 7,836	41	7,836	...
	TOTAL	420	43,376	103	514	61,465	100	17,01,486	94	20,54,074	100	3,62,608	...

N.B.—As regards the figures in column "total receipts from 1st April 1884 to date," audited figures have been availed of as far as possible.

(e) Total receipts from 1st to 24th January 1885.
(d) Ditto ditto 14th December 1884 to 24th January 1885.
(f) Ditto ditto 2nd November 1884 to 24th January 1885.

GOVERNMENT OF INDIA.

REVENUE AND AGRICULTURAL DEPARTMENT.

REPORTS ON THE STATE OF THE SEASON AND PROSPECTS OF THE CROPS FOR
THE WEEK ENDING THE 25th FEBRUARY 1885.

GENERAL REMARKS.—Rain has fallen during the week in parts of Bengal and in Assam, in two districts of the Madras Presidency, in Coorg, in two places in the Punjab, in Nagpur, in the Central Provinces, and in Tavoy in British Burmah. Except in Bengal and Coorg, the fall generally has been too slight to affect agricultural operations.

There is no change in the agricultural situation in Madras, but in Mysore unfavourable reports are being received from the districts of crops withering from want of rain. In Coorg the recent rain, if followed soon by more showers, will be favourable for coffee. Rice threshing is completed. In Bombay the *rabi* is being cut in most districts, and the harvest promises to be generally good. In the Berars, Hyderabad, Central India States, and Rajputana the *rabi* promises well. In Manpur (Bhopawar) some damage has been caused to poppy, linseed and gram crops by caterpillars. In the Punjab agricultural prospects continue generally very satisfactory, and this is true also of the North-Western Provinces and Oudh, though in some districts the crops have been damaged by blight and insects. The *rabi* harvest has commenced in the Central Provinces and prospects are favourable.

In Bengal prospects remain unchanged. The late rain has been beneficial for ploughing operations, but has impeded the threshing of paddy which was in hand in several districts. Ploughing for *ahu dhan* is in active progress in Assam, where also the gathering of mustard continues.

Cholera exists in most districts in Madras, but is abating. Smallpox present in Bombay, the Central Provinces, North-Western Provinces and Oudh, and Bengal.

Prices are generally steady, except in three districts in the Punjab.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Madras—(Feb. 25th)		
Bellary	<i>Nil</i>	Standing crops, dry crops generally and wet crops in parts, withering from want of rain; harvest paddy and dry grains, yield below average; 11 deaths from cholera.
Kurnool	"	Standing crops good except in one division and in parts of 3 taluks where they are withering from want of rain; harvest <i>cholum</i> and pulses, outturn below average; smallpox and cattle-disease exist.
Ganjam	Average 1'24	Fever prevalent; cholera slight.
Kistna	" '16	Standing crops good; river below anicut; fever and smallpox exist; 14 deaths from cholera.
Chingleput (Madras)	<i>Nil</i>	Standing crops in parts of 3 taluks affected by insects; harvest paddy, outturn below half the average; smallpox and cattle-disease exist, 36 deaths from cholera.
Coimbatore	"	Standing crops, wet good, dry fair, in 4 taluks, elsewhere failing; harvest wet and dry grains, outturn, wet generally above, dry generally below average; fever exists; cholera abating, 31 deaths.
Tanjore	"	Standing crops generally good; harvest wet and dry crops, outturn below average; 173 deaths from cholera.
Madura	"	Fever prevalent; 27 deaths from cholera.
Malabar	"	Operations for 3rd rice crop in progress; fever exists; smallpox and cattle-disease slight; 39 deaths from cholera.
Travancore	"	Smallpox and fever exist; cholera prevalent; 24 deaths at Trivandrum.
		<i>General Remarks.</i> —General prospects fair, except in parts of Bellary and Anantapur.
Bombay—(Feb. 26th)		
Karachi	<i>Nil</i>	River at Kotri on 23rd, 6 feet 11 inches against 4 feet 6 inches on same date last year; approximate area of past <i>kharif</i> 15,098 acres more than last year, assessment R11,988 more owing to favourable rainfall and high inundation, produce estimated 13 annas in rupees; fever in 7 talukas, cattle-disease in 6 talukas, loss of 38 buffaloes, 40 cows and bullocks, 47 sheep and goats; no fresh case of smallpox in Karachi, disease in 34 villages in the district, 28 fresh cases, no deaths, 38 remaining sick; cholera cases during the week, in Sakro 5 cases, 14 deaths, 4 remaining, in Ghorabari 27 cases, 16 deaths, 13 remaining; prices—wheat, red rice, and <i>bajri</i> in Karachi 26, 28, and 36, in Kotri 32, 38, and 42, in Sakro 18, 44, and 48, and in Shahbader 22, 40, and 48 lbs. per rupee respectively.
Hyderabad	"	<i>Rabi</i> good; cotton, oilseed, and peas injured by frost in some talukas, wheat attacked by mildew and peas by blight in Sakro; river at Kotri on 19th, 7 feet 10 inches against 4 feet 3 inches on same date last year; measles in one, smallpox in five, and cattle-disease in three talukas; wheat 31, <i>jowari</i> 40, <i>bajri</i> 40, white rice 20, and red rice 28 lbs. per rupee.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bombay—contd.		
Ahmedabad	<i>Nil</i>	Reaping of <i>rabi</i> crops commenced in some talukas; slight fever in Dholka; wheat 32 and <i>bajri</i> 34 lbs. per rupee.
Baroda	"	Public health good; crops in good condition; prices— <i>bajri</i> 34 and rice 25 lbs. per rupee.
Surat	"	<i>Rabi</i> harvest commenced in certain places; cotton-picking commenced; fever in Bardoli, Pardi, and Mandvi talukas; cholera in Bardoli, 7 cases, 1 death; <i>jowari</i> 38 and <i>nagli</i> 44 lbs. per rupee.
Nasik	"	<i>Rabi</i> crops generally good; slight injury to crops by mildew in Sinnar, Niphad, Chandar, Yeola, Baglan, and Kalvan, and by rats in Malegaon; public health generally good; some cases of cholera at Pimpalgaon, Baswant taluka, Niphad at Nasik city, Trimbak, Mahirawani, Deolali, and Bize, taluka Nasik; wheat 37, <i>bajri</i> 36½, and rice 24 lbs. per rupee.
Colaba (Bombay)	"	Average abnormal temperature 3° cool, vapour in air defective on 18th and 24th; abnormal wind southerly on 20th and 21st.
Poona	"	Reaping of <i>rabi</i> in progress; 11 cholera cases in Junnar, 2 fatal, and one fatal case in Khed; <i>bajri</i> 32 and <i>jowari</i> 41, in Poona <i>bajri</i> 30 and <i>jowari</i> 35 lbs. per rupee.
Ahmednagar	"	Reaping of <i>rabi</i> continues; wheat and <i>jowari</i> injured in some places; public health good; <i>jowari</i> 40 to 54 and <i>bajri</i> 32 to 48 lbs. per rupee.
Sholapore	"	Reaping of <i>rabi</i> crops continues throughout the district; <i>jowari</i> 42 lbs. 12 tolas and <i>bajri</i> 38 lbs. 28 tolas per rupee.
Dharwar	"	Harvesting of wheat nearly completed, that of gram in progress; exotic cotton blighted in some villages of 3 talukas; scarcity of fodder in Nuwalgund, Mundargi, and Karajgi, that of drinking water in Nargund, Bankapur, Hangol, Karajgi, and Kod; slight fever in Ranabennur and Kod talukas; rice 23 to 32 and <i>jowari</i> 37 to 59 lbs. per rupee.
Kanara	"	Sugarcane harvest continues; rice plants healthy; smallpox in 4 talukas, 1 death in Karwar; fever in Honavar, Sirsi, Haliyal and Yellapur; cattle-disease in Supa; common rice in Karwar 14, district average 14½ seers per rupee; weather cold.
Rajkot	"	General health good; cattle-disease called "khnra" at Dedan; <i>bajri</i> 33 and <i>jowari</i> 42 lbs. per rupee.
		<i>General Remarks.</i> — <i>Rabi</i> harvest commenced in parts of Surat, Ahmedabad, and Kaladgi, in progress in other districts; scarcity of fodder and drinking water continues in several talukas of the Southern Mahratta Country districts; cholera in parts of 8 districts, cattle-disease in parts of 6, smallpox in parts of 10, and fever in parts of 15 districts.
Bengal—(Feb. 24th)		
Chittagong	0.88	Weather cloudy; winter crops continue good; prices of food-grains steady; general health good; though cholera is still reported.
Dacca	0.45	Weather cloudy; pulses and oilseeds are being gathered; <i>boro</i> paddy and other winter crops are thriving; the recent rain has done much good to the crops, as well as to the cultivation of early paddy; prospects of crops good; smallpox decreasing in Dacca.
24-Pergunnah	0.96	Prospects of standing crops are good, and the yield is over the average; lands are being ploughed; price of common rice varies from 15½ to 17½ seers per rupee; public health is generally good; the state of river is normal.
Moorshedabad	<i>Nil</i>	Weather unsettled, clear and cold at the close of the week; wheat and other cold weather crops have done well; although in places <i>bolae</i> and gram have suffered from caterpillars; <i>boro</i> paddy is being transplanted; public health very good.
Burdwan	"	Weather warm; harvesting of <i>rabi</i> crops and sugarcane is going on well; prices stationary; public health fair.
Rungpore	"	Land is being prepared for <i>aus</i> crops; <i>rabi</i> crops are being gathered; prices of food-grains stationary; public health good.
Bhagalpore	"	Prospects of <i>rabi</i> crops fair; harvesting of peas has begun, and the outturn is good except in head-quarters; rice is selling at 13 seers 14 chittaks per rupee; prospects good; public health good, except a few isolated cases of smallpox.
Purneah	"	Prospects of wheat and barley poor; tobacco is being harvested yield fair; ploughing operations are progressing; price of common rice 14 seers per rupee; health fair, some cases of fever and cattle-pox are reported.
Patna	"	<i>Rabi</i> crops are being harvested, but considerable damage has been done by insects; prospects of poppy are not quite so good as they were last week; public health good.
Durbhanga	"	Harvesting of tobacco and mustard and extraction of opium are in progress; prices stationary at Durbhanga but falling in Madhubani; general health good.
Muzaribagh	"	Weather seasonable; <i>rabi</i> crops are doing well; in some places they are being cut; lands are being prepared for future crops; collection of opium in progress; price of common rice ranges from 13 to 16 seers per rupee; smallpox continues to be reported from the interior, otherwise health generally good.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Bengal—contd.		
Cuttack	1 07	Weather fair; cloudy at times and getting warm; reaping of <i>sarad</i> nearly completed; <i>dalia</i> is growing well; ploughing has commenced for the ensuing paddy crop; price of rice almost stationary; cases of cholera are reported, otherwise public health good.
Midnapore	0 19	Weather cool; lands are being prepared for cultivation; public health improved.
Khulna	0 71	Weather cold and cloudy; <i>amun</i> paddy stored; winter crops are progressing; lands are being prepared for <i>aus</i> and <i>boro</i> paddy; prices of food-grains stationary; public health good.
Dinapore	Nil	Ploughing operations have commenced; prices falling; <i>rabi</i> harvest fair; health good.
Pubna (Serajunge)	"	Fine weather with passing clouds; prospects of crops fair; rice is selling at 14 seers per rupee; public health good.
Gya	"	Weather fair; bright clear days with westerly winds; outturn of <i>rabi</i> crops is estimated to be fair; gathering of poppy is in progress; prices of food-grains stationary; smallpox shows no sign of decreasing; a few cases of cholera are reported; 525 persons are on road works and 35 persons in the relief register.
Chumparun	"	Prospects of <i>rabi</i> and poppy crops continue favourable; prices stationary; a few cases of smallpox are reported; public health fair.
Shahabad	"	Weather favourable to poppy; blight has not increased further; prospects improved.
Mozufferpore	"	Poppy crop in good condition; collection of opium is in progress; public health good.
Saran	"	Weather favourable; collection of opium is in progress, but juice from the capsules not plentiful.
Monghyr	"	The cloudy weather during the past week has not been favourable to the collection of juice from poppy, and the number of incisions is few as compared with those of the last season; caterpillars are said to have made their appearance in Amherpur Kothi; prices of food-grains steady.
		General Remarks. —More or less rain fell in some of the districts of the Province. It has generally benefited standing crops, and facilitated the ploughing of lands for the early crops. Harvesting of <i>rabi</i> crops is going on. The late rain has impeded the threshing of paddy which has commenced in several districts; prices of food-grains on the whole stationary; cholera and smallpox are still reported, otherwise general health good.
N.-W. Provinces and Oudh—(Feb. 26th)		
Benares (Feb. 24th)	No rain during the week.	The nights continue cold, though the days are warmer; sugarcane planting has commenced; barley and peas cut, outturn an average crop; opium collection is going on; an average crop expected; bazars well supplied; prices fluctuating; no sickness of men or cattle.
Gorakhpur (" 23rd)	No rain	Fine weather and crops ripening well; poppy yield plentiful; prices rising slightly.
Fyzabad (" 24th)	"	Weather clear; prospect of <i>rabi</i> and opium crops good; supplies abundant; general health good.
Lucknow (" 23rd)	"	Weather clear and getting hot; considerable injury done to wheat and <i>sarson</i> crops by blight, but prospects of other crops are good; sugarcane and melons sown; opium extracting in progress; markets well stocked; prices easy; condition both of men and cattle good.
Rai Bareilly (" ")	"	Weather clear and cold; crops in good condition; opium doing well, prices continue steady; general health good.
Partabgarh (" 24th)	"	Weather clear and cold with westerly wind; <i>sawan</i> and <i>kharbuja</i> sowings commenced; peas and <i>sarson</i> crops being cut; opium extracting operations in general progress; but yield of drug seems below the average at present; prices almost stationary; general health good.
Allahabad (" ")	"	Prospects of harvest excellent; prices almost stationary; health good.
Cawnpore (" 23rd)	"	Weather clear; some injury to crops from blight and insects; poppy healthy and partially in flower, and opium collections have begun in some places; prices steady; smallpox in one pargana.
Banda . (" 25th)	"	Weather clear; crops flourishing where not damaged by hail and smut; no distress.
Ballia . (" 25rd)	"	Weather clear; some damage is reported to have been caused to wheat and barley by blight in the Itawa tahsil; on the whole prospects continue favourable; markets well supplied; health good.
Farakhabad (" 24th)	"	As before reported the crops have suffered from gerna or mildew in parts of the district; wind northwest; prices steady; general health good on the whole.
Sitapur . (" ")	"	Weather reasonable; prospects good; yield of opium reported fairly plentiful; health good.
Bareilly . (" 23rd)	"	Every prospect of a good harvest; weather getting hot; west winds; no sickness.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
N.-W. P. & Oudh—contd.		
Kumaon (Feb. 23rd)	No rain	Weather warmer; crops doing very well; prices unchanged; few cases of smallpox reported; fever and cattle-disease continue.
Agra (" 24th)	"	Arhar and gram slightly damaged by frost; irrigation going on; prices steady; health good.
Jhansi (" ")	"	Blight is spreading in wheat crops on account of cloudy weather; poppy thriving; prices stationary; health good.
Meerut (" 23rd)	"	Weather cloudy on 19th instant, clear again; barley, peas, and oats flourishing, but wheat injured by rust; prices steady; health good.
		<i>General Remarks.</i> —No rain during the week; weather generally seasonable, in some places cloudy and warm; crops damaged by blight, and insects in some districts, otherwise prospects good; prices steady on the whole, and markets well supplied; general health good; a few cases of smallpox reported in Cawnpore and Kumaon; cattle-disease continues in Kumaon.
Punjab— (Feb. 25th)		
Delhi (Feb. 24th)	No rain	<i>Rabi</i> prospects and health good; prices falling.
Hissar (" ")	"	<i>Rabi</i> crops flourishing; health good; prices rising.
Umballa (" ")	"	<i>Rabi</i> crops flourishing; health and prospects good; prices stationary.
Jullundur (" ")	"	Health and prospects of coming crops good; prices stationary.
Amritsar (" ")	"	Health and state of crops good; prices almost stationary.
Siálkot (" ")	"	Health and harvest prospects good; prices stationary.
Ferozepore (" ")	"	Health and state of crops good; prices almost stationary.
Lahore (" ")	"	Health good; state of crops fair; prices of wheat falling, of other food grains stationary.
Rawalpindi (" ")	Slight rain	Health and <i>rabi</i> prospects good; prices almost stationary.
Shahpur (" ")	No rain	Health good; <i>rabi</i> crops fair; prices stationary.
Mooltan (" ")	"	Health and crop prospects good; prices almost stationary.
Dera Ismail Khan (" ")	"	Health and prospects good.
Peshawar (" ")	90	Health and <i>rabi</i> prospects good; prices falling.
		<i>General Remarks.</i> —Health and crop prospects good; prices rising in Hissar, falling in Delhi and Peshawar, and stationary in other districts of the province.
Central Provinces— (Feb. 25th)		
Nagpur	20	Nights cool, days warm; prospects good; reaping of <i>rabi</i> continues; smallpox and cattle-disease prevalent; prices stationary.
Jubbulpore	Nil	Weather clear and cold; <i>rabi</i> in good condition; prospects favourable; gram, <i>masur</i> , and linseed being reaped in places; health good; wheat 28 and rice 17 seers per rupee.
Sangor (Feb. 24th)	"	Wheat and linseed attacked by mildew; health good; prices easy.
Seoni	"	Weather clear and cool; wheat ripening; smallpox and cattle-disease continue; prices steady.
Hoshangabad	"	Weather seasonable; prospects of crops fair; gram and linseed being harvested; fever prevalent; prices steady.
Khandwa	"	Mornings and nights cool, days warm; <i>rabi</i> being reaped; 3 cases of cholera, 1 death; prices stationary.
Raipur	"	Weather occasionally cloudy; <i>rabi</i> reaping commenced; cattle-disease in places; prices falling.
Sambalpur (Feb. 21st)	"	Weather cloudy and rainy; sugarcane-pressing nearly over; cholera cases reported from parts; prices stationary.
		<i>General Remarks.</i> —Weather clear and cool; prospects generally favourable; <i>rabi</i> crops being harvested; smallpox in places; cholera reported from Nimar and Sambalpur; prices steady in Nagpur.
British Burma— (Feb. 25th)		
Akyab (Feb. 21st)	Nil	Cholera prevalent in Naf township, otherwise public health good; cattle healthy.
Bassein (" ")	"	Public health good; cattle-disease declining everywhere except in Lanyethna township, where it is slightly increasing; total rainfall 59 inches.
Rangoon (" ")	"	One death from cholera, otherwise public health good; total rainfall 17 inches.
Amherst (" ")	"	Public health and health of cattle good; total rainfall 69 inches.
(Moulmein).		
Tavoy (" ")	56	Public health good; total rainfall 332 inches.
Pegu (" ")	Nil	Public health and health of cattle good; total rainfall 30 inches.
Henzada (" ")	"	Ten deaths from smallpox in Henzada town, and 3 deaths from cholera, which is also prevalent in Yalun township; quality of paddy good.
Prome (" ")	"	Cholera continues in Prome town and in parts of district, otherwise public health good; cattle healthy.
Toungoo (" ")	"	Public health good; total rainfall 17 inches.
		<i>General Remarks.</i> —Cholera more or less prevalent in parts of Akyab, Prome, Thongwa, and Henzada districts, but not severe; smallpox prevalent in towns of Henzada and Thayetmayo and in three townships of Mergui district; slight cattle-disease in Hanthawaddy and Bassein, otherwise public health and health of cattle good.

Presidency or Province and District.	Rainfall for week preceding.	State of agricultural prospects.
Assam—(Feb. 25th)		
Gaubati	·16 during the week ending 24th instant.	Mornings and nights cool; mustard being gathered; ploughing operations for <i>aus</i> in progress; but rain wanted to facilitate them; public health fair.
Sylhet	·14	State and prospects of crops as last week; public health generally good.
Cachar	·22	Weather getting warm; reaping of mustard crops progressing; common rice 18 seers per rupee; health good.
Dibrugarh	·28	Weather cloudy; ploughing for <i>ahu dhan</i> going on; sugarcane being crushed; public health good.
Mysore and Coorg— (Feb. 25th)		
Bangalore	<i>Nil</i>	Increasingly unfavourable reports received from the districts, of crops withering for want of rain; cattle generally falling off in condition; water-supply diminishing; public health fair; prices show little change.
Mercara	Heavy shower of rain in south of Coorg on the morning of 21st instant.	Threshing of rice completed; no standing crops; coffee market continues dull; rain will prove favourable for coffee if followed by one or two more showers soon; smallpox prevalent.
Berar & Hyderabad— (Feb. 25th)		
Amraoti	<i>Nil</i>	Weather clear; cotton-picking almost completed; <i>rabi</i> crops in good condition; wheat 22 and <i>jowari</i> 26 seers per rupee.
Akola	"	Threshing of <i>kharif</i> completed; harvesting of <i>rabi</i> commenced.
Hyderabad	"	Standing crops prospering; weeding of <i>rabi</i> crops continues; general health fair; prices—wheat 15, coarse rice 15, white <i>juar</i> 19½, yellow <i>juar</i> 21, and <i>tur</i> 21½ seers per hali sicca rupee.
Central India States— (Feb. 25th)		
Indore	<i>Nil</i>	Weather somewhat warmer; health and agricultural prospects good.
Morar (Gwalior)	"	Health and prospects good.
Sutna	"	Weather clear and seasonable; health and prospects good.
Neemuch	"	Weather getting warmer; prices of food grains falling; collecting of opium commenced; health good.
Goona	"	Weather cold; health and prospects good.
Agar	"	Health and prospects good.
Sehore	"	Health and weather good; opium and other crops also good.
Nowgong	"	Weather clear; prospects of <i>rabi</i> favourable; prices steady; health good.
Manpur (Bhopawar)	"	<i>Rabi</i> and opium crops good; caterpillars have injured poppy plants, and linseed and gram crops in some villages; health good.
Rajputana— (Feb. 25th)		
Abu (Feb. 25th)	<i>Nil</i>	Weather mild and seasonable.
Sirohi (" 22nd)	"	Weather fine and cool; health and prospects good.
Marwar (" 20th)	"	Weather mild; health and prospects good; prices stationary; about four months' water in city tanks.
Harowti (" 23rd)	"	Weather warm; slight damage to opium and crops by cloudy weather; health good.
Jhallawar (" 20th)	"	Weather cold; dry north wind blowing, just changed to the west; health good.
Ajmere (" 24th)	"	Health and prospects good.
Jeypore (" ")	"	Weather seasonable; crop prospects favourable; prices stationary; health good.
Ulwur (" ")	"	High winds injuring wheat crop; health good.

T. W. HOLDERNESS,
Offg. Secy. to the Govt. of India.

